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**THE  
COUNCIL OF STATE DEBATES**

**(Official Report)**

**VOLUME VII**

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**FIRST SESSION**

**OF THE**

**SECOND COUNCIL OF STATE, 1926**



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# COUNCIL OF STATE.

*Thursday, 18th February, 1926.*

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The Council met in the Council Chamber at Eleven of the Clock, the Honourable the President in the Chair.

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## MEMBER SWORN :

The Honourable Sir Clement Hindley, Kt. (Chief Commissioner, Railways).

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## BILL PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

THE SECRETARY OF THE COUNCIL : Sir, in accordance with rule 25 of the Legislative Rules, I lay on the table a copy of a Bill to amend the Steel Industry (Protection) Act, 1924, for the purpose of increasing the total amount payable by way of bounties under that Act in respect of railway wagons and of providing for the grant of bounties in respect of underframes for railway passenger carriages, which was passed by the Legislative Assembly at its meeting held on the 17th February, 1926.

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## THE RAILWAY BUDGET FOR 1926-27.

THE HONOURABLE SIR CLEMENT HINDLEY (Chief Commissioner, Railways) : Sir, I have the honour to present to the Council a statement of the estimated expenditure and revenue of the Governor General in Council for the year 1926-27 in respect of railways. This is the second occasion on which the Railway Budget has been dealt with separately from the general Budget, and it will be perhaps unnecessary for me to repeat the description which I gave last year of the benefits which we anticipated from this change in procedure and policy. If any doubt of the efficacy of this change remained in the minds of those responsible for it or of the wider circle of those in the Legislature who were associated with us in carrying it out, I believe that that doubt will be removed when the financial position which I am about to explain has been fully appreciated.

2. Amongst other benefits arising out of this change has been the improved opportunities which we are able to give to the Legislature to consider and criticise our work and our proposals. The convention regarding separation of finances enables us to settle the figures of our budget independently of those pertaining to the general budget, and while last year we were able to give much greater opportunities for discussion than had been

[Sir Clement Hindley.]

possible before, this year we have been able to carry out the intention, which we indicated, of thoroughly examining the figures in consultation with the Standing Finance Committee for Railways. They have approved of all our figures and in these circumstances we feel a considerable measure of confidence in placing the figures before the Legislature. Not that we expect to pass through the ordeal without criticism. The figures and explanations which accompany them are in effect a presentation of an account of our stewardship, and I will not pretend that our work has been so perfect or that this Council is so tolerant that we can avoid matters for criticism. But whatever criticism may be levelled against us or against those responsible to us, I would ask this Council, the members of which are many of them here for the first time, to show the same consideration in criticism of the Railway Department which was such a marked feature of our relations with the former Council of State.

3. One of the benefits which we anticipated from the separation of finances, and which I mentioned last year, was the fact that the obligation contained in the convention to pay a heavy contribution to the general revenues would be an impelling factor of a constructive nature running through the whole of our activities and organisation. In the figures and facts which follow I hope to show that this factor has been at work, and that, on the one hand, we have taken great strides during the past year in bringing the railway system of the country into line with requirements, and, on the other hand, that our proposals for next year are actuated by a desire to still further develop this great national property and to perfect the organisation and equipment necessary to enable it to fulfil its proper functions. I would, however, take leave to point out that the stimulus underlying this great co-ordinated effort to provide the country with a transportation system adequate to its needs had its origin in something rather less recent than the separation of finances, and separation may perhaps be looked upon as an incident, although an important one, on the path of reconstruction and re-organisation.

4. The Council will remember the parlous condition into which the railways of this country had fallen at the time when Sir William Acworth's Committee reported. They will remember the nature of the evidence brought before that Committee on the one hand by the public indicating the artificial restrictions imposed on trade and travel by the inadequacy of transportation facilities, and on the other by responsible railway administrations showing how their efforts towards improvement and development were cramped and stunted by the intolerable system of financing the railways which had obtained so long.

They will remember no doubt the remedies suggested, reorganisation of the controlling department, decentralisation, and a more business-like method of allotting funds for improvement and development. These and many other minor remedies we have been endeavouring to apply. In some directions we have had success, in others we still have much to do, but I claim that we have at least made progress.

The Council will remember that before sufficient time had elapsed for the implications of the Acworth Committee's report to be fully understood or acted upon, the railway business of the country was again brought under close examination by Lord Inchcape and his Committee. Looked at in the proper perspective, which we can apply at this distance of time,

we can recognise that the report which this Committee submitted was in many respects the complement of the former Committee's report. Though to many critics at the time there seemed to be divergent views and recommendations, I feel that nothing but the ruthless analysis of our business in all its ramifications which those two Committees applied could have enabled us to build up our present position. The application of the ideas and principles contained in those reports to the whole of our business has brought about a synthesis of all that was admirable in both of them, and we should be ungrateful indeed if we did not give full recognition to the work which they did and the stimulus to which that work gave birth.

I cannot attempt without taking up an inordinate portion of the time of the Council to give a complete picture of the change which has been brought about as the result of this new spirit, but in dealing with the figures in the estimates and in describing our work, I hope I shall be able to show that the railway property which my department controls is now in a sound financial position, that it is being maintained with efficiency, and that it is meeting the transportation needs of the country in a manner which has never been approached before.

5. Honourable Members of this Council will have shortly placed in their hands copies of the statement of the revised and budget estimates, together with a memorandum explaining the budget and separate books which have been prepared for each railway administration under our control. They will also be furnished with copies of the speech now being made by the Honourable Railway Member in the other House. I will ask Honourable Members to exercise patience while I endeavour to give a brief summary of the outstanding figures in the estimates.

*Working Results (Revenue Receipts and Charges) Commercial Lines.*

6. I will first deal broadly with the estimated working results in the current and next financial years. In the budget presented last year we estimated the gross traffic receipts from commercial lines at 100 crores 65 lakhs, or with the addition of miscellaneous receipts, 101 crores and 34 lakhs of gross receipts. The working expenses were estimated at 65 crores 5 lakhs, and the total charges including interest, etc., 90 crores 54 lakhs, leaving a net gain from the commercial lines of 10 crores 80 lakhs. From the results now available for the current year the budget estimate figures have been revised and the gross traffic receipts are expected to reach 98 crores 86 lakhs only which, with the addition of miscellaneous receipts, will give total receipts of 99 crores 81 lakhs. Working expenses are now estimated at 63 crores 87 lakhs, and the total charges at 89 crores 86 lakhs, leaving a net gain of 10 crores 45 lakhs, or about 35 lakhs less than anticipated in the budget estimate.

7. For next year, 1926-27, we estimate traffic earnings at 101 crores 35 lakhs which with miscellaneous receipts will give us total receipts of 102 crores 58 lakhs. Working expenses are estimated at 65 crores and 18 lakhs and total charges at 92 crores 13 lakhs, giving a net gain of 10 crores 45 lakhs, the same as in the revised estimate for the current year.

8. Of the net gain of 10 crores 45 lakhs estimated for the current year, the net contribution to general revenues after meeting the loss on strategic railways will be 5 crores 82 lakhs, while 3 crores 45 lakhs will be transferred to railway reserves. For next year if we realise the estimated net gain of 10 crores 45 lakhs, general revenues will receive a net contribution of 601 lakhs and railway reserves will receive 2 crores 70 lakhs.



[Sir Clement Hindley.]

9. I should like to emphasise certain figures which are of importance from the commercial point of view. The total capital at charge on all railways at the end of last financial year was 655 crores, of which 580 crores was the expenditure on commercial lines exclusive of the capital contributed by Companies. At the end of the current year the total capital at charge is expected to be 674 crores, of which 599 crores represents commercial lines. After meeting all interest charges our contributions to general revenues since the separation of finances will amount to 6 crores 78 lakhs in 1924-25, 5 crores 32 lakhs in 1925-26 and 6 crores 1 lakh in 1926-27, or a total of 18 crores 11 lakhs in the three years. In the same period the amounts placed to railway reserves are: 6 crores 38 lakhs in 1924-25, 3 crores 45 lakhs in 1925-26, and 2 crores 70 lakhs in 1926-27, or a total of 12 crores 53 lakhs.

It is interesting to compare this position with the position in 1921-22 when with a total capital at charge of 606 crores, the net income was insufficient to meet the interest charges by  $9\frac{1}{2}$  crores. From the close of that year to the end of the current financial year the net additions to capital at charge will be approximately 68 crores, general revenues will have received no less than 19 crores 73 lakhs as clear contributions after paying all interest, the railways will have built up a reserve fund of 9.88 crores and have further established a depreciation fund which, after meeting all necessary appropriations for replacements and renewals, is expected to show a balance of 6 crores 71 lakhs. These figures present a striking contrast to the financial position of the railways at the time when Lord Inchcape's Committee reported, and it is well to remember what that Committee considered should be the aim for our future work. They laid down the principle that the railways as a whole should yield not less than  $5\frac{1}{2}$  per cent. on the capital invested, and they calculated that when we had had time to effect economies in working expenses we should be able to make a net return of  $8\frac{1}{2}$  crores per annum to the State. They did not expect that this result could be obtained immediately and in fact they even made drastic proposals for postponement of necessary expenditure in order to enable the railways to produce a net return of 4 crores in that year.

In effect we made a net return of nearly  $6\frac{1}{2}$  crores, while in the subsequent two years we have produced an average net profit considerably above the figure anticipated by the Committee. These figures, I claim, show that the railway property of the State during the last few years has been brought into a sound financial position, a position which has been achieved largely by the application of commercial principles and a wise financial policy.

Before passing on I would call attention to the fact that while during each year since the date of separation, the contribution of one per cent. on the capital at charge to general revenues is an increasing figure, moving from 540 lakhs in 1924-25 to an estimated figure of 580 lakhs next year, the amount to be placed to railway reserves is a steadily decreasing figure, and we are budgetting for a smaller figure for next year than the estimated amount for the current year. We have yet to learn by experience what amount should ultimately be required in our reserves, but from the analogy of what is found necessary in other commercial concerns and other commercial railways we are still a long way off from reaching a figure which will place the railways in a perfectly safe position having regard to

the obligations of the separation convention and the unknown obligations of the future. In a year, for instance, in which bad monsoon conditions might bring with it a heavy set back in earnings without an opportunity of bringing down working expenses to a corresponding degree it is conceivable that the payment of the contribution might make a very heavy call indeed on our reserves. Our contribution increases every year and our liability is an ever-increasing one. We cannot, therefore, yet estimate what figure we should finally aim at for the accumulated reserve.

On the other hand the existence of a reserve fund, meagre as it is at present, and the existence of financial arrangements which will ensure a fair share of profits going into the reserve in the future makes it possible to take temporary risks with our earning power. And as I shall explain later we have had during the past few months a most careful examination made by all the railway administrations with a view to ascertaining the best form to give to this risk. It has been decided that certain reductions in fares and freights, most of which have already been notified, will be justified by eventual increases in earnings and the existence of reserves entitles us to take the risk of making these reductions

#### REVISED ESTIMATE, 1925-26.

##### *Gross Earnings.*

10. In the Budget presented last year we estimated the gross earnings for this year at 100 crores 65 lakhs. Although we have had an increase in passenger earnings estimated at about 37½ lakhs, in goods traffic we have had a serious falling off, and we anticipate receiving about 245 lakhs less than we had budgeted for. The net effect is anticipated to bring our total receipts for the year to 99 crores 81 lakhs, or 1 crore and 53 lakhs less than the budget estimate figure.

##### *Working Expenses.*

The working expenses in the current year are now estimated to be 1 crore and 18 lakhs less than in the budget estimate for the current year. This reduction is due partly to the fact that we have deferred expenditure on the work of fitting our rolling stock with automatic central buffer couplers pending a re-investigation of the method of conversion. It is now probable that we shall be able to shorten the period of interference with traffic by adopting the method of preliminary alteration and adaptation instead of using a transition device, but it may be some time before we can proceed with the actual conversion.

There is a further cause for the reduction in working expenses, namely, the fact that the special provision of 50 lakhs for speeding up repairs to rolling stock has only been drawn upon to the extent of 25 lakhs, but the solution of the difficult problem of keeping repairs up to date depends largely on the completion of certain schemes of workshop improvement which are now in hand and the results of the investigation into workshops facilities which is now going on. Meanwhile the general position in regard to repairs of locomotives and wagons shows an improvement over the position a year ago although the position as regards coaching stock is not altogether satisfactory.

[Sir Clement Hindley.]

BUDGET ESTIMATE, 1926-27.

*Gross Earnings.*

11. Next year we are budgetting for gross earnings of 101 crores 85 lakhs, an increase of about 249 lakhs over the revised estimate for the current year. In making this estimate we have assumed a continuance of the present favourable conditions and a good monsoon. But we have also taken into account the reduced earnings resulting from the reduction in rates and fares to which I have already referred. But for these reductions we should have been justified in placing the estimate at about 2 crores higher than this figure. As regards passenger fares, full particulars of the reductions already notified will be found in the proceedings of the Standing Finance Committee for Railways, and those who have leisure to study these proceedings will see that a very careful examination has been made of the position as regards passenger traffic on each of the large railways. The principle which the Railway Board have adopted is to let each railway administration take stock of its position, and arrange the level of its fares so as to encourage the largest volume of traffic at a paying rate. As I have said, the stronger financial position in which we now find ourselves owing to the separation of finances and the prospect of building up an adequate reserve fund makes it possible to take the risk of a temporary drop in earnings. It is, however, essential to bear in mind that reductions in fares can only be made where commercial justification exists and where such action will lead ultimately to larger net earnings and consequently a further strengthening of the reserves. Where, for instance, the normal growth of passenger traffic has been arrested or retarded, it is legitimate to conclude that a reduction of fares will stimulate travelling and bring the rate of growth back to what is regarded and what has been more or less established as the normal annual growth.

Rate fixing is always a matter of trial and error, and if a rate is fixed too high traffic will be discouraged, while if it is fixed too low profits will vanish. To hit the happy mean where profitable traffic is stimulated is the object we have in view. The recently notified reductions must be looked upon as a further stage in the experiment rather than necessarily the beginning of a downward movement of unforeseen limits. Our financial obligations compel us to go cautiously, for to drop below the remunerative point would be fatal to the whole of our financial structure. But we are confident that, with the method now adopted of analysing the flow of traffic and studying the effect of changes in fares we shall be able to go further in adjusting the charges to the needs of an ever-increasing travelling public. Railway administrations will perhaps be criticised for moving too slowly in reductions, but when the actual reductions in earnings on the different railways which we are budgetting for are studied, for instance, 34 lakhs on the Great Indian Peninsula Railway, 17 lakhs on the South Indian Railway, 33 lakhs on the North Western Railway, 18 lakhs on the East Indian Railway and reductions now proposed on the Burma Railways costing 12 lakhs, I do not think that such criticism will be held to be justified. We have at any rate made a beginning, and we have also made a beginning in the reduction of rates.

There are, of course, many claimants for reductions in goods rates. But here again the problem of rate fixing is one largely of trial and error.

although it is beset with many indeterminate factors which do not influence passenger traffic to the same extent. Commodities and their movements have to be watched and studied in different localities, and unless the greatest care is exercised changes in rates may have entirely unforeseen results. Where the movement of commodities between different points is handicapped by the level of rates to an extent which actually restricts traffic, it is obviously a business proposition to make some adjustment, subject always to the consideration that the traffic is still earning a profit. The examination which is required for this purpose is one which is continually going on, but, as in the case of passenger fares, we have felt justified in asking railway administrations to give this matter special attention with a view to stimulating the movement of any commodity where this may be possible. It is, however, specially in regard to coal traffic over long distances that we feel that there is an opportunity of affording some stimulus. We believe that in so far as we can increase the area within which the industrial use of coal is economically possible we shall thereby be stimulating industries themselves, and ultimately benefitting our railway business through the traffic which arises as a consequence of the growth of these industries. There are therefore good arguments for carrying coal over long distances as cheaply as possible. The rates at which we carry coal at present are low rates. Having regard to the high proportion which coal traffic bears to other traffic on two, at any rate, of our great railways, it is held in some quarters that these rates in themselves amount to a subsidy. There is considerable doubt whether any reduction would not bring this traffic to the point of being non-remunerative. But that is an argument which I need not enter into now because we are emboldened by what has happened in the past to believe that the reduction which we now propose to make will act as a stimulus, and that at a time when the business of coal producing and coal using is in need of such a stimulus. It is being arranged, therefore, with effect from 1st April to reduce the rates on coal carried more than 400 miles to a scale which will be equivalent to a reduction of 14 As. a ton at Cawnpore, 1 Re. 2 As. a ton at Ahmedabad and 1 Re. 10 As. at Bombay. With this new scale the charges for carrying coal over long distances will be about 10 per cent. less than at present and only 20 per cent. higher than the scale in force in 1905.

As regards the rates for coal carried over shorter distances, there is no evidence to show that any reduction that we could afford to make would result in an appreciably larger volume of coal being moved. We have, however, before us the recommendation of the Coal Committee in regard to a further rebate on export coal, and when the new Grading Board gets to work, we shall be in a better position to come to a decision on this point.

I have explained the reductions in rates and fares already decided upon. As I have said, we shall during the year bring further examination to bear on this matter, and we have in fact formed our estimate of earnings on a basis which, if other assumptions we have made are fulfilled, allows for some further adjustments.

#### BUDGET ESTIMATE, 1926-27.

##### *Working Expenses.*

12. The estimate for gross expenditure during next year, 92 crores 13 lakhs, is 2 crores and 77 lakhs more than the revised figures for the

[Sir Clement Hindley.]

current year. Of this sum, an increase in our interest charges owing to our higher capital at charge accounts for 130 lakhs, while an increase of 40 lakhs must be made in the appropriation to the Depreciation Fund which depends on a calculation based on the probable life of our wasting assets. There is also an increased provision for repairs to rolling stock by 35 lakhs and a slightly higher provision for operation, counter-balanced largely by the saving in our fuel bill consequent on the lower prices for market purchases of coal during the coming year, the effects of which have been explained in the Budget Memorandum.

#### REVISED ESTIMATE, 1925-26.

##### *Capital Expenditure.*

13. The approved programme of capital expenditure in the current year was 32 crores 7 lakhs, but while authority was given to push on with all approved works, we estimated that the railway administrations would not spend more than 22 crores 90 lakhs. Actually we expect now that the expenditure will be about 19 crores 50 lakhs, leaving a lapse of 3 crores 40 lakhs. The lapse has mainly occurred in the expenditure on new lines largely owing to delays in land acquisition proceedings, and we have been able to spend to within 40 lakhs the amount estimated for open line works.

We have taken special steps to expedite the process of obtaining approval to works of proved necessity and have simplified the system of preparing and submitting estimates and for the certification of indents, and we have also delegated larger powers of sanction to Agents and Boards of Directors. In this connection it is satisfactory to be able to announce that the Secretary of State recently has increased largely our powers of sanction for new works, and many projects which formerly had to be referred to him for sanction can now be sanctioned by the Government of India. In agreeing to this delegation the Secretary of State has recognised that the obligation which we have undertaken under the separation convention to pay not only the interest on our capital at charge but an additional contribution to the general revenues furnishes a guarantee for economical working such as justifies a wide relaxation of his control.

#### BUDGET ESTIMATE, 1926-27.

##### *Capital Expenditure.*

14. The programme for next year for expenditure on approved works represents an estimated outlay of 34 crores 58 lakhs from capital and of 10 crores 65 lakhs from the Depreciation Fund. We do not propose to restrict expenditure on sanctioned works as it is of obvious advantage, once they are sanctioned, to expedite them as much as possible, but we have formed our own estimate of the probable actual expenditure, which we place at 22 crores from capital and 8½ crores from the Depreciation Fund. The total demand for capital expenditure will be 26 crores as we have included 4 crores for the purchase of the Delhi Umbala/Kalka Railway. The terms of this purchase and the reasons which justified it are explained in a statement attached to the Budget Memorandum.

15. The gross figure of capital expenditure involved in the programme for next year is divided into 24 crores 76 lakhs for open line

works and 9 crores 82 lakhs for the construction of new lines and lines at present under construction. For open line works we are allotting 17 crores 87 lakhs and for rolling stock 8 crores 10 lakhs. The Budget Memorandum gives full particulars of these open line works, which are shown in greater detail in the separate books for each railway. This expenditure is directed not only towards the better and more efficient handling of present traffic, but also towards enabling the railways to meet the natural expansion of traffic and further to stimulate that expansion. Amongst the most important of the various items included in this category is the provision for remodelling marshalling yards 8 crores 40 lakhs and doubling and quadrupling of existing tracks 1 crore 40 lakhs. These works are primarily intended to expedite and facilitate the movement of traffic by increasing the capacity of various routes. For instance, the Bombay-Poona section of the Great Indian Peninsula Railway is to be improved by eliminating the reversing station at Bhore Ghat, the doubling of the Grand Chord line of the East Indian Railway is approaching completion, the Bombay, Baroda and Central India Railway line into Bombay is being quadrupled, and the Ishurdi-Gopalpur section of the Eastern Bengal Railway is being doubled. Amongst the larger yard remodelling schemes are the Victoria Terminus at Bombay, Ahmedabad station, Lucknow and Trichinopoly, important junction stations whose limited capacity has been a severe handicap to traffic, while progress will also be made on improving a number of other stations which are at present unable to deal with traffic with that expedition and efficiency which we must have if we are to continue the present all-round improvements. In this connection I may mention that the introduction of improved statistics has been of great value in analysing the work done in marshalling yards and has been the means of suggesting many improvements and economies in working. We have also had during the year an officer on special duty making a special study of some of the larger centres of traffic congestion, and his work has been of great value in designing improved arrangements. The work done covers, for instance, the important centres of Delhi, Cawnpore, Agra, Naihati and certain stations and sections on the Bengal Nagpur Railway.

Another important group of improvement works is represented by the provision of 2 crores and 25 lakhs for improved rails and sleepers and 1 crore for strengthening of bridges. These works are the yearly instalment of the steady process of raising the standard of our main lines to carry the heavier train loads now necessary. Each railway now has its properly co-ordinated programme for strengthening and improvement of bridges and track, working up towards definite standards which the Railway Board has prescribed. In regard to these standards, in which considerations of the design of locomotives and rolling stock, the design and weight of rails and track and the design of bridges have to be co-ordinated, the Railway Board continue to investigate and study the question of appropriate standards, and for this purpose we have permanent Standing Committees to advise us on the different aspects of the subject. There is perhaps no branch of our technical work which requires more attention and care if we are to meet the growing demands for improved capacity and at the same time take adequate advantage of the accumulated experience in this and other countries. To carry our increasing traffic with efficiency we have to continue to make progress towards heavier train loads, which means larger rolling stock, heavier locomotives and heavier axle loads with the natural consequence of stronger track and bridges. The normal length of life of bridges and permanent way

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make it necessary to take very long views of probable increase in loading, and it is necessary therefore to continually study and improve the standards by which design of all this equipment is governed.

Another important item is 2 crores for electrification of lines. The opening of the electrified Harbour Branch at Bombay a year ago was mentioned as the first step in introducing electrification in India. Within the last few days the electric train service has been continued to Bandra, and the great improvement in the convenience which this affords to those who live in the suburbs and work in Bombay is expected to result in a large increase in traffic. The electrification of the suburban lines of the Bombay, Baroda and Central India Railway is well in hand, and when this is completed and electric trains take the place of steam trains in the whole of the Bombay suburban area, there is little doubt that Bombay will feel a very great benefit and that a better distribution of its great population may be looked for in the early future.

The re-examination of the problem of suburban traffic in Calcutta, as the result of the decision to proceed with the construction of the new bridge at Bally, is now approaching completion, and we expect shortly to receive the report of the Electrical Engineers on the revised electrification scheme. If on this report it appears that a sound financial scheme can be worked out, there is little doubt that we shall go forward with it without delay, and we hope that it will be possible to bring suburban passengers much nearer to the centre of the city than is now possible.

The Madras suburban traffic problem will also be dealt with in the coming year, and we expect to make considerable progress with the additional tracks on the South Indian Railway which are the primary necessity in this area. The question of electrification depends to some extent on the prospects of hydro-electric power supply and in regard to this we are in close touch with the Government of Madras.

On the Bombay side the main lines of the Great Indian Peninsula Railway are to be electrified as far as Poona and Igatpuri at a total cost of 5½ crores, and we are making a provision of 19 lakhs for the initial work next year.

We are continuing a fairly heavy programme of workshop improvement and remodelling including the provision of new plant and machinery, the necessity for which was fully explained and accepted at the time of last year's budget. So far as the State railways are concerned, the problem of co-ordinating the facilities and equipment in the larger workshops has become an urgent one. In making extensions and revisions of the lay-out of these workshops, which must be done if we are to work economically and take advantage of modern improvements, it is necessary to avoid overlapping and duplicating where this is possible, and we, therefore, decided to get expert advice on the whole subject. We were fortunate in obtaining the services of Sir Vincent Raven, an eminent mechanical engineer and President of the Institution of Mechanical Engineers, and he and his committee are at present engaged on investigating this problem. We hope that as the result of the advice of this committee we shall get the best possible value from the expenditure which in any case will be necessary on these workshops in the near future.

16. The programme for rolling stock authorises the construction of 692 broad gauge units and 285 metre gauge units for lower class traffic, and 146 broad gauge and 71 metre gauge units for upper class, part of these being renewals and part additions. Altogether we are allotting 148 lakhs for additions and betterments to lower class stock. The work which can be put through in the year is still limited to a large extent by the capacity of our workshops, and in view of the fact that reductions in fares must, if they are to be justified, stimulate traffic, it will be understood that workshop improvement admits of no delay.

17. As regards locomotives, we are providing for the addition of 90 new broad gauge engines and 63 new metre gauge engines besides normal renewals. The policy of the Railway Board in regard to standardisation of locomotives has been fully explained in successive Administration Reports, and we have recently reached the point of having new standard designs for a number of types of locomotives finally drawn up. These standard designs embody modern locomotive practice which is considerably in advance of the present standard engines designed many years ago and are specially suited to Indian conditions. Before these types are finally accepted as our future standards, they must be tried out and any defects which become apparent in actual work must be eliminated by changes in design or detail as may be required. The provision in next year's budget will be largely utilised for obtaining the necessary number of trial engines to the new type to enable them to be tried on the principal railway systems under varying local conditions. This marks an important stage in our development and brings us measurably nearer to complete standardisation—a condition which will enormously simplify many of our present problems of repairs and renewals.

18. In concluding my remarks about rolling stock I may mention that the programme includes allotment for 2,702 additional goods wagons besides the renewal of 4,650 wagons during the year. It is, of course, necessary to place orders for wagons required in any one year several months before the beginning of the year owing to the time taken for manufacture and delivery. The various railway administrations requiring wagons of similar types agreed to combine in making a simultaneous call for tenders. These tenders from Indian, British and Foreign firms were examined by the Railway Board and orders have been placed with Indian wagon building firms to the full extent of their capacity as certified by the Indian Stores Department. The balance has been ordered from an English firm which submitted the lowest satisfactory tender. Prices quoted by the Indian firms were the lowest hitherto quoted by them. The difference between these prices and the equivalent of the lowest satisfactory quotation from abroad will be met from bounties payable under the Steel Protection Act.

#### *New lines.*

19. As will be seen from the Budget Memorandum we are expecting to have under construction during next year a new construction programme of over 2,500 miles covering no less than 63 different projects. But this represents only a part of the development which we are actively considering. We have dealt with the problem of new construction on the basis of examining the whole country in separate areas roughly corresponding to the areas served by the different railway administrations, and we have asked each railway administration to prepare a continuous programme of survey and construction over a period of years taking, as in the case of the improvement programme, the quinquennium as the most suitable



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period for this purpose. The investigation of projects by means of surveys and the collection of data for traffic estimates takes a considerable time and the number of months in the year when this work can be undertaken is somewhat limited. Also most railways have been so pre-occupied during the past few years with the problem of improvement to their open lines that they have not been able to spare the necessary staff for the full investigation of the construction problem. We have got over this to some extent by special recruitment on a temporary basis, and we have arranged that most railways shall have an officer at headquarters specially engaged on this important work. We have also been in close consultation with Local Governments and are endeavouring to meet their wishes as regards the routes to be taken and the order in which projects shall be taken up. In this connection I may remind the Council of the arrangement we have established under which it is open to a Local Government, in cases where our estimates do not show a remunerative prospect, to obtain the construction of a railway by guaranteeing us against loss. This arrangement is already proving advantageous in enabling us to consider and bring up to date projects which would otherwise have been indefinitely deferred.

20. The programmes of work on survey and construction which the railway administrations are now engaged on, revising them and adding to them from year to year, indicate that we have only made a bare beginning on favourable construction projects, and our improved financial position resulting from the separation of finances enables us to take a bold line in this direction. The total mileage of the projects which we have either sanctioned or are having investigated amounts to between 6,000 and 7,000 miles, and when all our arrangements are in full swing, I see no reason why we should not bring up our total yearly mileage addition to something in the neighbourhood of 1,000 miles. With this in view we are providing a larger allotment for survey work in the coming year with the object of completing and revising projects which promise to be satisfactory investments.

21. I will deal briefly with the various large areas which we have examined in the present investigation. In Burma construction is proceeding on a number of important new branches. In addition we have under consideration further branches which it is hoped will open up the country, while a survey is now being made for an extension to Tavoy and Mergui with the possibility of a connection in the future with the Siamese Government Railways. A survey is also in progress, in collaboration with the Government of Burma, for a better route through the Arakan mountains, a region which has hitherto opposed great physical difficulties to successful railway construction. The total mileage of the lines on the future programme of the Burma Railways amounts to about 1,800 miles in all, most of which, we hope, will prove to be of a remunerative nature.

In South India our papers will show that active construction is proceeding on the South Indian Railway on a programme contemplating the addition of 250 miles a year during the next 6 years.

The territory served by the Madras and Southern Mahratta Railway does not present such a promising field for new construction, but prospects are being investigated of a number of projects amounting with those already sanctioned to about 500 miles. New branches with a total length of about 100 miles have recently been sanctioned and others are under investigation.

In the area lying between the East Indian Railway and the East Coast which is largely served by the Bengal-Nagpur Railway we have two great projects in hand. The first is the Central Indian Coal Fields Railway with a total mileage of nearly 300 miles designed to serve the new Karanpura coalfields area and to give an outlet to Daltonganj on the one side and to the Bengal-Nagpur Railway main line on the other, with a future connection towards the west which it is hoped will enable the coal measures in Korea to be developed and will considerably cheapen the transport of coal to the west of India. The Hesia Chandil Railway, which forms a part of the scheme, will probably be opened in the course of the year, while the line from Bermo to South Karanpura has recently been completed. The second is the completion of the Raipur-Vizianagram line, 260 miles in length, with which is intimately connected the construction of a new harbour at Vizagapatam. Construction on the railway has commenced and a provision of 1½ crores has been made for next year. Work on the harbour has also commenced, and the suction dredger which has been ordered is expected to arrive at the harbour next October. If all goes well, it is anticipated that a channel will be opened during next cold weather which by this time next year may enable an oceangoing ship to reach smooth water in the harbour area which is now being prepared for that purpose. I may mention that the harbour construction project does not find a place in the railway budget, but in the general budget, although for administrative reasons the work is under the control of the Railway Board.

In Eastern Bengal, several remunerative projects with a mileage of about 150 have recently been sanctioned, and several other projects are under investigation.

In Assam, we are in agreement with the views of the Board of Directors of the Assam-Bengal Railway that that railway can only be made to pay its way by the development of the area it serves by means of branches, and the Agent is preparing a programme which will eventually add a mileage of some 550 miles in that province. For the present we have sanctioned several small branches which give promise of bringing considerable additional traffic to the main line. I may say that after many years of unremunerative working this railway is at length shewing signs of reaching a better financial position, but it has many handicaps owing to its geographical position, and the greatest care is still necessary in watching expenditure.

In the United Provinces and Bihar, we hope to go forward with new construction through some of the prosperous districts which are still meagrely served by Railways and where there is a chance of improving traffic to the benefit of the locality and to the main lines of railway. At present between 200 and 300 miles of new lines are under consideration.

The problem on the Bombay side is being tackled by the Great Indian Peninsula Railway and the Bombay, Baroda and Central India Railway, and it is hoped that the result of their present investigations will enable us to go forward with new construction in that area on a fairly extensive scale, although it must be admitted that except for cheaply constructed branch lines there is not the same inducement to build as there is in some of the more populated and highly cultivated areas.

In the Punjab, we have already come to decisions in regard to some of the projects which have been under consideration, and apart from the Kangra Valley Railway on which construction is now commencing, we

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hope shortly to begin work on the Narowal-Amritsar connection and the Narowal-Shahdara line, while we have recently appointed a special engineer to investigate a large number of smaller projects, some of which were formerly considered to be suitable for agricultural tramways. We have been working in agreement with the Punjab Government in this matter, and we have decided that many of these lines can only prove to be remunerative if built on a lower standard than that usually adopted. We have in fact in preparation a scheme of building light broad gauge branches suitable for agricultural areas which, with the facility they give for interchange of rolling-stock, we believe, will prove of great use to the local population. I would draw attention to the assistance which it is hoped that railways will thus be enabled to give towards the improvement and betterment of agriculture generally, and I have no doubt that this subject will be one which will be of interest to the Royal Commission which has recently been announced, when it comes to make the investigation.

In Sind also we have taken up the question of feeder lines in agricultural districts where extensions of irrigation promise a definite improvement in output, and North Western Railway administration are in close communication with the local authorities in that province.

In concluding this review of the construction programme I would repeat that the mileage added to the railways last year and this year are only a partial index to the work which we have in hand and that we expect before long to reach a much higher output.

#### *General Matters.*

22. I now wish to mention a few of the directions which our activities have taken during the past year and in which we hope to make further progress during the coming year, but which are not perhaps very apparent from the papers connected with the Budget.

#### *Management and Organisation.*

23. The direct management of the Great Indian Peninsula Railway was taken over on 1st July 1925 and a few months later the Allahabad-Jubbulpur line was transferred from the management of the East Indian Railway to that of the Great Indian Peninsula Railway, thus completing the re-arrangement which had been earlier decided on. The amalgamation of the East Indian Railway and the Oudh and Rohilkhand Railway and the transfer of certain portions of the combined system to the North Western Railway administration has resulted in consolidating our State-managed railways into self-contained units, each working in a well defined geographical area. These administrations are now organised on a Divisional basis and the new organisation is already showing satisfactory results. It is interesting to note that several of the Company-managed railways are considering the adoption of a somewhat similar organisation.

#### *Rates Advisory Committee.*

24. His Excellency the Viceroy recently announced in this Council the appointment of Sir Narasimha Sarma, the former distinguished Leader of this House, to be the first President of the Rates Advisory Committee. It is expected that the Committee will be fully constituted very shortly, and that it will be able to take up its duties by the beginning of April.

It is a matter for great satisfaction that we have come to an agreement with the Company-managed railways which enables us to constitute this Committee because the Railway Board have consistently held the view that the work which it will undertake in investigating questions of railway rates will serve to present to the public a reasoned analysis of the system upon which railway charges in general are based, and thus help to meet in a large measure the criticism, at present mostly of an uninformed nature, which is so frequently levelled against the present system. We court the fullest publicity in these matters, and it is the inherent difficulty in explaining the details of the problem to those who naturally only see one side of it, which has so often given rise to difficulties in the past in justifying what is being done by the railways. We also believe that the study and examination of the various rates problems which the Committee will no doubt be called upon to investigate will be of practical and constructive assistance to the railway administrations themselves in building up rates structures on a scientific and generally understood basis. We, therefore, look forward with confidence to the establishment of this body and the results of its labours.

#### *Health of Railway Staff.*

25. One of our greatest preoccupations is concerned with the many difficult questions which centre round the problem of the health and comfort of railway staff. I am aware that there is a school of thought which professes to regard this problem as of subsidiary importance or even of no importance at all compared with the comfort of our clients—the travelling public—and are prone to read into any provision which we may make for the betterment of the conditions of the staff a necessary neglect of the passenger and his comfort. There are others who accuse us of wilful ill-treatment and a callous neglect of the interests of those who serve the railways. Actually the subject is always before us and the railway administrations, and there are at present sitting committees of the Indian Railway Conference Association to consider, for instance, how the conditions of railway labour can best be brought into line with the obligations assumed by India under the various International Labour Conventions. That subject is a very complex one, and there is always a danger in generalising, but at any rate we have made a great deal of progress in the direction of complete conformity with the standards laid down, and I hope that the result of this committee work now being done will help to resolve some of the practical difficulties. But in the direction of improvement in health and surroundings there is much to be done, and during the last year we have had a senior administrative medical officer on special duty to study the problem on the North Western Railway. The object of his investigations has been to devise a better organisation for medical treatment of the staff on that railway and for dealing with public health problems in railway settlements. We have his report now under consideration, and I hope that in the course of next year we shall be able to bring about the desired improvement, for we are satisfied that improvement is necessary. The officer referred to has visited practically every railway in India and has made a careful study of the medical arrangements on each of them. His work has assisted in making it clear that a great deal has yet to be done in studying the incidence of sickness and disease amongst railway employes, and apart from the obvious obligation to give these men adequate opportunities of treatment the subject has its commercial aspect in the loss of working time which at present preventable disease entails.

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*Timber Supplies.*

26. Another important subject on which we have been working is the improvement of supplies of indigenous timber for various classes of railway work. Last year we had an examination of the sources of timber supply for sleepers throughout India, and subsequently we had an inquiry into the possibility of extended use of cheaper Indian timber in coach building. In both of these investigations the Forest Research Institute at Dehra Dun afforded us very valuable assistance as well as helping us with advice and supervision in connection with the sleeper treating plant which we have established in the Punjab. In furtherance of the object in view, namely, the use of indigenous timber to the fullest extent possible coupled with economical purchasing we have attached to our staff as a temporary measure an officer of the Imperial Forest Service who helps our purchasing officers, keeps our engineers and other users of timber in touch with local conditions of supply, and who will, I hope, afford useful help in exploring the uses of cheaper substitutes for the few timbers which have so long been regarded as the only ones suitable for railway work.

*Training of the Staff.*

27. The School of Transportation which we have started at Chandausi has done good work during the year, and over 1,000 railway men, officers, upper subordinates, and lower subordinates, Indian, Anglo-Indian and European, selected mainly from the East Indian Railway and North-Western Railway, have attended for varying periods for courses of instruction in railway duties. Junior officers and probationers from most of the railways have also been sent for training. The accommodation at the school is rapidly becoming inadequate to the requirements of the upper and lower subordinates from the area which it is designed to serve, and it will be necessary in the early future to separate the senior classes and move them to another centre in order to cope with the subordinate staff training. The object we are aiming at is to make provision for courses of training and refresher courses for all the staff who have duties in connection with train movement, and it is obvious that the full benefit of this scheme will not be attained until the school is equipped to deal with a sufficient yearly quota to enable all the staff in the area to attend within a period of a few years. For this purpose Chandausi as an area school will deal with the Northern Divisions of the East Indian Railway and the Eastern Divisions of the North Western Railway. The remainder of the East Indian Railway staff are at present dealt with at Asansol where a similar school exists, but this will eventually be removed to Sahebganj and suitably expanded. A similar area school is now being constituted at Lyallpur on the North Western Railway, while the Great Indian Peninsula Railway are arranging to establish one at Bina.

As I have said, the time is approaching for the officers classes now at Chandausi including the probationers training to be moved to another centre where it will be possible to develop them on broader lines with the eventual aim of establishing a Railway Staff College for the training of the superior staff of various departments. We have been looking for a suitable site and there is now the possibility of obtaining one at Dehra Dun. We hope, therefore, that in the near future we may be able to see the beginnings

of this new institution which, in my opinion, will be of incalculable benefit to our railways.

### *Railway Accounts.*

28. In one of the matters on which we received healthy advice from Sir William Acworth's Committee, namely, the re-organising of our accounts on a commercial basis, it must be confessed that we have not made much progress, although we have made a beginning by introducing a new system of compiling statistics with very great benefit to the work of all our departments. We have further, with the assistance and the approval of the Auditor General and the Finance Department, undertaken an experiment on the East Indian Railway in the direction of separation of accounts from audit. Our accounts however still bear the impress of many years of association with those of Government Departments of a purely administrative character, and I am very glad to say that it has at last been decided to have them overhauled from top to bottom by a firm of commercial accountants of world-wide repute, who have great experience of railway accounting in Great Britain and America. In this wise decision I venture to hope that we have at length seen appreciation of the fundamental difference between audit and accounting, and I trust that it will be the means of putting into the hands of both our administrative and executive officers accounts which will show them easily, and from day to day, the true commercial aspect of the various branches of work they control, while affording us the very great benefit of completely independent auditing of our accounts. I do not think I shall find any one to quarrel with the statement that accounts should be the servant and not the master of a commercial undertaking or with our determination to give effect to this principle in the commercial business of railway management.

### CONCLUSION.

29. I have earlier in my speech compared the position of the railways now with their position when they were reported on by Sir William Acworth's Committee and Lord Inchcape's Committee, and in concluding my remarks I would like to draw attention again to this startling change. The railways are now paying their way. They are not only paying a satisfactory return on the capital invested, which in itself gives confidence in embarking on an extensive programme of new construction, but they are already building up reserves, although the process of rehabilitation, improvement and development goes on at a rate not thought attainable 3 years ago. And lastly, while we believe they are meeting the transportation needs of the country more fully than ever before, they have been able to make a beginning in the reduction of their charges to the public for the commodity which they sell. With this short summary I feel that I can confidently leave the Budget to the friendly criticism of this Council, but I should like finally to pay a tribute to the energy and ability with which the Agents and officers of the various railway administrations have approached the great problem of reconstruction, as well as the loyalty and efficiency of the staff of all grades in carrying out their daily work in the service of the public and in the interests of the railway systems on which they serve.

## ELECTIONS TO THE PANEL FOR THE STANDING COMMITTEE ON EMIGRATION.

THE HONOURABLE THE PRESIDENT: Nominations for election to the panel from which Members to the Standing Committee on Emigration will be nominated were receivable up to 12 noon to-day. The following Members have been duly nominated:

The Honourable Mr. V. Ramadas Pantulu.  
The Honourable Mr. Phiroze C. Sethna.  
The Honourable Seth Govind Das.  
The Honourable Mr. P. C. Desika Chari.  
The Honourable Rai Bahadur Lala Ram Saran Das.  
The Honourable Saiyed Mohamed Padshah Sahib Bahadur.  
The Honourable Mr. K. C. Roy.  
The Honourable Rao Sahib Dr. U. Rama Rao.  
The Honourable Mr. Mahmood Suhrawardy.  
The Honourable Mr. Haroon Jaffer.

As there are ten nominations and there are only eight vacancies on the panel, an election is necessitated unless two Members at least withdraw in the meantime.

THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: I beg to withdraw, Sir.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY: I also beg to withdraw.

THE HONOURABLE THE PRESIDENT: Two Honourable Members having withdrawn their nomination, I am therefore in a position to declare the following Members duly elected to the panel:

The Honourable Mr. V. Ramadas Pantulu.  
The Honourable Mr. Phiroze C. Sethna.  
The Honourable Seth Govind Das.  
The Honourable Mr. P. C. Desika Chari.  
The Honourable Rai Bahadur Lala Ram Saran Das.  
The Honourable Saiyed Mohamed Padshah Sahib Bahadur.  
The Honourable Mr. K. C. Roy.  
The Honourable Mr. Haroon Jaffer.

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## RESOLUTION RE APPOINTMENT OF A ROYAL COMMISSION TO INQUIRE INTO THE WORKING OF THE INDIAN CONSTITUTION.

THE HONOURABLE MR. PHIROZE C. SETHNA (Bombay: Non-Muhamadan): Sir, I beg to move the following Resolution which reads thus:

"This Council recommends to the Governor General in Council to urge upon His Majesty's Government the appointment forthwith of a Royal Commission to investigate and inquire into the working of the present Indian constitution and to formulate a scheme for the establishment of responsible government in India."

I need make no apology for bringing forward this Resolution, for the constitutional question is irrepressible and it is bound to press again and again for consideration until a permanent satisfactory solution is reached. More than five years have passed since the reformed constitution was introduced. The very first year of the meeting of the Indian Parliament was signalised by the adoption by the Legislative Assembly of a Resolution, the original of which was altered as suggested by Government themselves, and in its amended form it recommended a re-examination and revision of the constitution at an earlier date than 1929. Much water has flowed under the bridges since then, but the one most outstanding feature of the currents and under currents of thought during the last five years has been a persistent demand for such further constitutional advance as will secure the goodwill and co-operation of all schools of political opinion in this country—I mean all those schools which unitedly may be taken to represent the bulk of the Indian people—and thereby lay the constitutional issue comparatively at rest. If this is done it will lead to the concentration of the energies and efforts of the chosen representatives of the people and other leaders upon the numerous problems of internal development and progress, which, owing to the overpowering pressure of the constitutional problem, have not been receiving and indeed, in the very nature of things, cannot receive, that measure of undivided and steady attention to which they are entitled. The constitutional issue has thus loomed the largest on the political horizon of India. It has demanded the earnest attention of Government and of the Indian Parliament in one form or another. Only last year in the Simla Session, the question came up in the form of an amendment to a Government Resolution moved in the Legislative Assembly, by the leader of the Swaraj Party, and in the then Council of State by myself. The different decisions of the two Houses on that amendment are well known to Honourable Members. The Legislative Assembly adopted it by a very large majority which represented the unanimous view of the Swaraj, the Independent and the Liberal Parties. In this Honourable House, the amendment was rejected and the Government Resolution was adopted.

Since the September Session, the Indian National Congress, the Muslim League, the Liberal Federation, the Non-Brahmin Conference, the Christian Conference and other Congresses and Conferences whose number, as has been remarked by a European writer, is legion, have met at their annual sessions, and we have once more had the considered views of the more important political bodies on the constitutional question. One notable and significant event in this connection has been the open declaration by a section of the Swarajist Party—a section by no means inconsiderable or unimportant—that they disapprove of the policy of obstruction and are in favour of pursuing what is called the policy of responsive co-operation which means nothing more nor less than the policy of co-operating with the Government in carrying out all such policies and measures as are not repugnant to reason or detrimental to the interests of the people.

**THE HONOURABLE SIR DINSHAW WACHA** (Bombay : Nominated Non-Official) : From their point of view.

**THE HONOURABLE MR. PHIROZE C. SETENA** : Yes, each man has his own point of view.

Now, Sir, the Resolution which I am moving has been brought forward in the light of all these circumstances. It has been framed in the light.



[Mr. Phiroze C. Sethna.]

first, of the history of the constitutional issue during the last five years, secondly, of the decisions of the Indian Parliament in the last Simla Session, and, thirdly, of the considered views which different sections of Indian opinion have expressed in their conferences held within the last six or seven weeks. With regard to this second circumstance; I am not blind to the significance such as it is of the decision reached by the predecessor of this Honourable House. After all, the Indian Constitution is bi-cameral and Indian opinion, as far as I know, is very largely in favour of its being and continuing to be bi-cameral. The decisions of this House are therefore entitled to as much consideration and weight as those of the Legislative Assembly. In this connection however I may be permitted to add that some of those Honourable Members in the last Council, who voted against my far-reaching amendment, expressed themselves in favour of the appointment of a Royal Commission before the statutory period and indeed my Honourable friend Mr. K. C. Roy moved an amendment recommending the appointment of a Royal Commission or any other suitable agency not later than 1927. It is true he withdrew the amendment, but there is the important fact that such an amendment was moved, and further that it was supported by some of those who were not able to go the whole length with me. After these remarks which I have deemed necessary to make in order to clarify the issue and to enable this Honourable House to see the question which I am submitting to its judgment in the proper perspective I shall turn to the Resolution itself. My Resolution is a plea for the immediate re-examination and revision of the existing constitution by a Royal Commission. In urging that plea and bespeaking the support of this House to my Resolution I wish to appeal to the intellect and reason of the House and of the Government. I shall scrupulously avoid all passion, bitterness of feeling, recrimination, all uncalled for and unnecessary attacks upon Government for their sins of commission or omission, real or fancied. I shall further eschew all considerations of sentiment except to the extent that the sentiment which is strong, which is persistent, which is entertained by varied or large sections of the community constitutes in itself a fact of great importance which reason ought not to brush aside as irrelevant nor statesmanship ignore as of no value.

What, then, are my grounds for urging that the time has now come when the existing constitution of this country should be examined and revised, and that a Royal Commission should be immediately appointed for the purpose? I start with the position that it has been conceded by Government that there is no legal bar to the appointment of a Royal Commission for this purpose at any time before the expiry of the period of ten years fixed by the Government of India Act. We all know the statement made in such picturesque and arresting language by the Secretary of State that "Wise men are not the slaves of dates, rather are dates the servants of sagacious men". So far then the position stands beyond question. Starting from that point, I contend in the first place that the working of the constitution during the last five years and indeed the examination of the constitution by the Reforms Inquiry Committee, better known as the Muddiman Committee, even within the limited terms of reference made to it have clearly shown that the constitution has not succeeded in achieving the object with which it was established to the

extent and in the manner expected. The constitution has failed not in the sense that the administration is not going on and going on as efficiently as before, not in the sense that the Legislatures are not working and that the Executives are at a standstill, but in the much higher sense that it has failed to give that measure of training in responsibility which was its avowed object and without which no real and continuous progress in the attainment of full responsibility is supposed, I think rightly supposed, to be possible. And it has failed to achieve this result, not for any fault on the part of the people, not on account of non-co-operation, not owing to any obstructive tactics of the Swarajists, but owing to the supreme fact that at its very inception and to a considerable extent in its very nature it was so conceived and devised that it could not have produced any better results.

I concede, Sir, that training in responsibility is necessary before full responsible government becomes familiar to the people and can be worked by them with a high degree of efficiency and a large measure of success. But in order that such training might be acquired, the measure of responsibility must not be stinted. It must be substantial, it must be real. It must not be an apology for liberty, not a liberty so hedged round with limitations and qualifications as to make it a mere camouflage or flimsy and unsubstantial in its nature or working. The responsibility which the present constitution has granted in the domain of the provinces is of such a nature. And I say, therefore, it is utterly ill-calculated to give the electorates that training in responsible government upon which insistence is laid. In the domain of the Central Government, indeed, where vital issues are decided there is an utter absence of responsibility. The constitution of the Central Government is, in fact, open to the same serious objections as were urged against the Congress League Scheme of 1916 and to some extent against the Morley-Minto Reforms, all arising from an irremovable executive which has to depend for support upon an elective majority and which in its turn, owing to its being excluded from responsibility, is naturally inclined to play the role of permanent opposition. Such a constitution cannot fulfil the ends it has in view and the sooner it is revised the better for all.

My second ground for urging the early appointment of a Royal Commission to review and revise the existing constitution is that there is a general, I might say almost unanimous, strong and insistent demand for further constitutional advance. And I wish to emphasise the fact that this view that the time is now ripe for further constitutional advance is maintained not only by political parties or leaders, but also by those who have worked or have been working side by side with the Government either as Executive Councillors or Ministers. It is impossible for those who have closely studied the reports of the Local Governments on the working of the reformed constitution for the year 1924, which have been published along with the reports of the Reforms Inquiry Committee, not to come to the conclusion that a large, weighty and responsible opinion as represented by most Ministers and many Indian Members of the Executive Councils strongly favours such further constitutional advance. The position in this matter has been ably expressed by the Honourable the Raja of Pannagal, himself a Minister to the Madras Government and a leader of the non-Brahmin Party, a party the moderation of whose political views is beyond question and which has been most heartily co-operating

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with the Government in working the constitution. He said in his speech at the non-Brahmin Conference held during last Christmas:

"It is perfectly apparent that the most weighty, the most considered and the best informed opinion is in favour of an immediate advance in the political status of the country. Ministers and Indian Members of Councils almost without exception, in various Governments who have had actual experience of carrying on the administration of the country, whose knowledge of departmental difficulties and complications has certainly not been of a comparatively insignificant character, whose keenness for co-operative work with the authorities is incapable of doubt or suspicion, whose enthusiasm for the diarchic system of government when they assumed office is admitted, whose regard for Parliamentary conventions and, in particular for the opinion of the English Parliament is obvious, practically from every Presidency have given their opinion almost unanimously in favour of an immediate extension of the political status of the country."

The same position has been reflected in the resolutions passed by most of the Conferences held during X-mas last. The All-India Muslim League which met at Aligarh has adopted a resolution demanding the appointment of a Royal Commission without any delay, and this resolution was moved by Sir Ali Imam, an ex-Member of the Viceroy's Executive Council. The Liberal Federation has drawn up an outline of the reforms that should be introduced and also urged the appointment of a Royal Commission, and the Federation was presided over by Sir Moropunt Joshi, who has just laid down the reins of office as Home Member of the Central Provinces Government. The non-Brahmins at their conference have demanded the immediate establishment of full provincial responsible government and of a measure of responsibility in the Central Government. The All-India Conference of Indian Christians which met at Calcutta also passed a resolution asking Government to appoint a Royal Commission and demanding immediate provincial autonomy and the introduction of responsibility in the Central Government.

All these facts prove beyond doubt that, however much they may differ on other points, there is general agreement among the various political bodies in India that the investigation of the question of further constitutional reform should be immediately undertaken by a Royal Commission. Now, Sir, I put it to Government. Will they be justified in ignoring all these expressions of opinion? Do they carry no weight with them? What effect will it have upon the Indian mind when it finds that all these expressions of opinion, this general and insistent demand for further constitutional advance, are ignored and flouted as of no account? I have said at the outset that I want to appeal not to sentiment, but to the reason both of the House and of the Government. It may be that the Government think all these expressions of opinion and views to be wrong, that, in their judgment, no immediate revision of the constitution is justified, though it would seem from the reasons hitherto given by them whenever they have opposed the demand for such revision, that their opposition is based not so much on the merits of the question as on the absence of a certain condition which they demand.

But assuming for the sake of argument that in the considered opinion of the Government on the merits of the question the immediate revision of the constitution by a Royal Commission would not be justified we have here two different and conflicting opinions, and I trust the Government give us credit for the honesty of our view, just as they expect that we should give them credit for the honesty of their view. In this conflict of two

honest and sincere views what can be a better agency than a Royal Commission to decide the great issues involved? And then again supposing that the judgment of most Ministers, many members of Executive Councils and of these various public bodies as to the desirability of immediately appointing a Royal Commission to investigate the question of further constitutional advance is swayed more by considerations of sentiment than of pure cold reason, the Honourable House will see that it is too big and gratuitous a supposition to make, is not that in itself a fact of great importance which the Government ought not to ignore? The Indian Government claim to defer to Indian public opinion even when they think that that opinion is not quite correct or sound. This deference to public opinion is in fact claimed to be the basis of the Government and the administration since the inauguration of the reformed constitution. Why should not Government then attach proper weight and importance to this demand for further constitutional reforms, a demand which has behind it the support of moderate, weighty, sober, influential responsible elements in society—and refer the question to an independent tribunal such as a Royal Commission? Whether they consider the demand for an immediate revision of the constitution as based on reason, or on sentiment, pure and simple, or partly on sentiment and partly on reason, in any case it is a demand which Government should not be so callous or indifferent as to pay no heed to whatever. Certainly the demand deserves a much better fate than it has hitherto met with.

But, Sir, the question urged against the immediate appointment of a Royal Commission is, and I am now coming to grips with the main question, that the appeal of Lord Birkenhead for co-operation, for goodwill and friendship has not evoked adequate and sympathetic response from political leaders in this country. I want to examine this point, as fully and as frankly as I can. This same objection has been repeated by His Excellency the Viceroy in the speech he made at the opening of the Legislative Assembly on the 20th of last month and ten days ago at the opening of this Council. I welcome that pronouncement and frankly I am not so disappointed with it as some critics evidently are. I wish to speak of it with the greatest respect, particularly as it may be taken as expressing and embodying the latest position of Government on this important question. Now, with great deference to His Excellency, I must say in the first place that the attitude taken up by Government, as expressed in that pronouncement, appears to me to be somewhat vague. It is difficult to understand what exactly is meant and asked for. So far as working the constitution is concerned, the spirit of goodwill, friendship and co-operation shown by all the Legislatures during the first three years is acknowledged by all, even by Government themselves.

During the last two years the same has been manifested by all the Provincial Councils, except those of Bengal and the Central Provinces, and even in these two refractory provinces, the situation has shown a decided improvement. The Bombay Swarajists have now declared themselves emphatically in favour of responsive co-operation. The improvement in the attitude of the Legislative Assembly in the direction of reasonable co-operation has been acknowledged by His Excellency himself. The attitude of the Swarajists too has undergone a change for the better. The leader of the Swarajist Party and one more of its stalwarts are now working in co-operation, the first, Pandit Motilal Nehru, on the Sken Committee and the other, Mr. V. J. Patel, as the Speaker of the Legislative Assembly.

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Then there is a split in the Swarajist Party and the Swarajists in the Maharashtra in Bihar and in the Central Provinces have now openly abandoned the policy of obstruction. It is true, the Indian National Congress which met at Cawnpore has passed a resolution to which objection might justifiably be taken. Personally, I strongly deprecate that resolution and more particularly that part of it which speaks of civil disobedience. It is neither sound statesmanship nor wise political leadership to indulge in such futile and misleading and mischievous talk about civil disobedience. But in fairness to the Congress it must be pointed out that civil disobedience is held out as a remote mode of direct action to be resorted to when all other methods fail, and that too, as explained by Mahatma Gandhi, as an alternative in utter exclusion of any method of violence.

Such then is the present situation and I do contend that taken as a whole and on a close sympathetic and not hypercritical analysis it meets, essentially and substantially, with the condition put forward by Lord Birkenhead and His Excellency the Viceroy. What more do the Government want? Do they want that the Swaraj Party should dissolve itself and openly declare that they are in the wrong? Are Government going to make the whole country suffer for the sins, if any, of a single political party—a party too, which is now divided against itself and which, in spite of its avowed policy and programme, has shown friendship and goodwill in a fair degree and really practised a considerable and increasing measure of co-operation? Would it be fair to make the whole country suffer in that manner? Is the Swaraj Party everything and other parties nothing? Is not the heart of the nation thoroughly sound? And I am confident the Government of India believe it to be sound.

I am afraid, Sir, the Swaraj Party seems to be on the brain of Government. Let them shake off that obsession which is evidently warping their judgment and drying up the sources of their large-hearted sympathy and let them not allow it to come in the way of India's progress. The Swarajist Party, if I understand it rightly, is nothing but the old Extremist Party. In every country there is and there will be a party of extremists, aye even a party of extremist irreconcilables. Such a party existed before the introduction of the Morley-Minto Reforms, but that did not deter those two eminent statesmen from introducing reforms. It existed all the time of the Montagu-Chelmsford reforms but it did not deflect the late Mr. Montagu and Lord Chelmsford from the path of reform which they had chosen. All these four statesmen had the courage to conciliate and rally all the sober elements in the country, and, so far as I can judge, they have certainly succeeded to a very appreciable extent. All the frowns and threats of Extremism did not make them hesitate in the great task of conciliation and reform, and I for one believe that in the main their policies have been justified.

Sir, I feel not the slightest doubt that if an announcement of the appointment of a Royal Commission is now made, the ground would be cut from under the feet of Extremism at all events to some extent, and the forces of co-operation, of good-will and of friendship will not only be rallied, but they will also be strengthened both in numbers and influence, and above all they will be justified in the eyes of the Indian people. May I in this connection say a few words to my Swarajist friends? I do earnestly appeal to them to reconsider their position in the light of the fresh pronouncement of His Excellency the Viceroy. Let them not treat that

speech light-heartedly as of no account, let them give up any idea, if they have it at all, of throwing out the Budget, let them give every proof of friendship and goodwill and judge of the Budget and of all the measures which Government may submit to their votes on their own merits. In other words, if I may say so, let them once at least stoop to conquer. I have no doubt that this new attitude will be justified but if not they can then go with a clean conscience to the electorates and tell them that they have done their best and that the onus now lies on Government and on Government alone.

A minute ago I said I am confident the Government of India believe that the heart of India is sound. For a reflex of this opinion I will quote from recent utterances in England. Writing in the *Sunday Times* of London of a fortnight back from last Sunday Lord Meston observed:

"Non-co-operation in its virulent form is dead and the European if he behaves reasonably is again welcome. Below the surface, trouble simmers as it has always done, but on the face of the waters there is little trace of the hurricanes which have been raging since 1919."

He concludes by saying that there is nothing in the situation to-day calling us to diverge from the course of political development laid down six years ago. Lord Meston was in India a few weeks ago and what he has written to the *Sunday Times* is the result of what he has seen and learnt for himself, and it cannot be forgotten that but a few years ago he was himself a member of the Government of India and he is bound to be in close touch with the principal officers of the Government of India to-day. The views he has expressed are therefore the views of our Honourable friends sitting on the opposite Benches.

Take again the Prime Minister himself. Speaking at Sunderland on the 26th of last month he observed:

"In India where our trade has not been wholly satisfactory in recent years, we find that the economic position has improved and extremist agitation has subsided. These facts are not wholly unconnected, but I rejoice in them and if the present indications hold good we may anticipate increased trade in that quarter."

Mr. Baldwin does not know India and it is evident that the views he has expressed are those of the Secretary of State and of the Government of India.

The House is familiar with the views of Sir Frederick Whyte which he has expressed more than once so forcibly. He repeated them the other day at an interview he gave to an Australian journal. He said that although he thought that:

"Indians have yet to prove that western institutions are appropriate to the East, he recognises at least that it is necessary to confer on them a great measure of responsibility."

Sir Percival Phillips who was in this city a few weeks ago wrote from here to the *Daily Mail* to say that His Excellency Lord Reading has restored India to quiet and prosperity. He has undoubtedly induced the Indians to cultivate a friendlier spirit. Practical sedition is almost dead. These must be his views after personal observation and also evidently from what he gathered from the Government of India officials themselves.

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Just one more quotation and this time from a well known journalist Mr. J. A. Spender, late Editor of the *Westminster Gazette* from what he said but a week ago to a Calcutta audience of brother journalists:

"If a system was fundamentally vicious no time limit could be placed for making things better. If this Government were to say 'Behave like good boys and you will get something better', the natural result would be to make people do the reverse. As between a public man and the public or a Government and its people, that Government attitude should not be taken up."

May I be allowed to conclude with only one observation? His Excellency the Viceroy has spoken in eloquent and impressive language of winning the heart of England. May I not say that it should equally be the proud and pleasant task of England and of her august representatives here and at Whitehall to win the heart of India? I have suggested to the Swarajist leaders that they should stoop to conquer. May I not in the same way say that England, mighty as she is, should if need be even stoop to win the heart of India? Sir, I feel confident that the appointment of a Royal Commission just at this juncture will go a great way to usher in an era to use His Excellency's noble language "of more sympathetic understanding, more widespread trust and more universal goodwill" and thereby to strengthen the foundations of the British connection in this country.

**THE HONOURABLE THE PRESIDENT:** It may assist the Council if I indicate briefly the course which, I think, this debate should take. There are three amendments printed on the paper. Of these, two standing in the name of the Honourable Seth Govind Das are placed on the paper as alternatives. I may assure him at once that his first amendment is in order, and we may for the purposes of the debate, therefore, ignore his second amendment. Of the two amendments that remain therefore, namely, that one and the first standing in the name of Mr. Chari, I regard the second amendment, that of the Honourable Seth Govind Das, from the point of view of the original Resolution, as the more drastic. I am therefore proposing to call the Honourable Seth Govind Das at once to move his amendment, and I think that the debate should confine itself to that until it has been disposed of. The two amendments are fundamentally based on the same matter, that is to say, they both make references to two Resolutions passed in another place. One amendment asks for a declaration of an announcement of a decision to take immediate steps to give effect to those Resolutions. The other amendment asks for the appointment of a Royal Commission to formulate a scheme of responsible government to give effect to those Resolutions. I think, therefore, that the Honourable Mr. Chari, if he wishes to move his amendment, should frame it as an amendment to that of the Honourable Seth Govind Das.

**THE HONOURABLE SETH GOVIND DAS** (Central Provinces: General): Sir, I rise to move the amendment which stands in my name. It reads thus:

"This Council recommends to the Governor General in Council to move His Majesty's Government to make a declaration in the Parliament announcing its decision to take immediate steps to embody in the constitutional and administrative machinery of India the fundamental changes asked for in the Resolutions passed by the Legislative Assembly on 18th February, 1924 and 8th September, 1925, and to obtain the decision of His Majesty's Government thereon."

I move this amendment, Sir, on behalf of the Swaraj Party. There is a fundamental difference, Sir, between the Resolution moved by my Honourable friend Mr. Sethna and my amendment. My friend Mr. Sethna wants merely a Royal Commission, while we Swarajists, Sir, want a declaration of His Majesty's Government on the point. We Swarajists have no faith in these Royal Commissions, because many such Royal Commissions have come and gone and the net result is nothing more nor less than an addition of a few lakhs of rupees to the poor taxpayer. To me it appears, Sir, that the main item in the national demand is for an announcement followed by a Round Table Conference. Unlike Australia and South Africa, Sir, we are a very old nation, and our history goes back to thousands of years. We have tried almost all the constitutions known to the human race; we have our own traditions, and therefore, Sir, it will be doing a great injustice to us to inflict a constitution alien to our spirit upon us and then to blame us if it fails to work smoothly. Therefore the future constitution of India can only be settled by the true representatives of the three hundred millions of the people of India, and not by a few Britishers or by a few members who are appointed on these Royal Commissions. I am surprised, Sir, to see that the Honourable Mr. Sethna is now moving a Resolution and is not sticking to his old Resolution which he moved in this very House a few months ago. My Honourable friend Mr. Sethna says, Sir, that he has brought forward this Resolution in accordance with the public opinion of the country. May I ask him, Sir, to point out which public body representing the real public opinion of the country has passed a Resolution merely asking for a Royal Commission?

THE HONOURABLE MR. PHIROZE C. SETHNA: All except the Swarajists

THE HONOURABLE SETH GOVIND DAS: No, Sir. I say no public body has asked merely for a Royal Commission. The only public body which represents the real public opinion of the country is the Indian National Congress, and it has endorsed the Resolution which was passed on the 8th September in the Legislative Assembly.

Almost every Indian who has studied the question has said that the present constitution of India is defective and that it should be re-examined. As my Honourable friend Mr. Sethna has just pointed out, the very first year of the introduction of the reforms, I mean in 1921, a Resolution was passed by the Indian Legislative Assembly asking for a revision of the constitution, and although that Resolution was accepted by the Indian Government, it was turned down by Lord Peel. In 1924 again, Sir, a Resolution demanding a Round Table Conference was passed by the Legislative Assembly, and what was the Government's reply to that demand? His Majesty's Government in England only sanctioned a Reforms Inquiry Committee with a very restricted scope, and therefore all the Swarajist Members, including Pandit Motilal Nehru, had to declare that that Committee could not solve the problem of India.

Then, Sir, my Honourable friend Mr. Sethna said that we Swarajists are co-operating now and that we have changed our policy.

Well, Sir, the Swarajists know better what they have done. I say that the Swarajists are not co-operating. Their view is that there is nothing to co-operate with. What the Government want is merely co-operation on one side. Is such co-operation ever possible? If they want real



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co-operation they should also extend their hand, and when the hands are extended from both sides, then only can there be co-operation. The same thing was repeatedly said by our late leader Deshabhandu Chitta Ranjan Das and the same thing has been declared many times by our present leader Pandit Motilal Nehru. May I ask, Sir, why there has been non-co-operation? His Majesty's Government know the reply to this, and it is this, that we have no trust in the British policy. If we take a glance at recent history, do we find a complete and wholesale co-operation offered by any nation to their alien rulers? Did the Boers, Egyptians and the Irish ever co-operate with the British Government before getting full responsible government? The answer is that not only did they not co-operate but they offered resistance and uncompromising resistance. Do the Government of India or His Majesty's Government want the same kind of co-operation from us? Human nature is much the same whether it is in Europe, Africa or India.

The Honourable Mr. Sethna has dealt at length with the failure of the present constitution and I need not say much on the point. That is the reason why we Swarajists have no faith in tinkering with the constitution, a bit here and a bit there. That is why, Sir, when in September last Government moved a Resolution asking for the acceptance of the reactionary Reforms Inquiry Majority Report, the Swarajists brought forward a Resolution in the House which was passed by an overwhelming majority, demanding a declaration of the policy of His Majesty's Government. As has been said by the Honourable Mr. Sethna, that Resolution was endorsed by all the public bodies of the country, by the Cawnpore session of the Indian National Congress, by the Liberal Federation at Calcutta, and by many other public bodies. Neither the Hindus nor the Muhammadans nor any other community in the country is against this national demand. Even the Anglo-Indians, if Colonel Gidney is to be taken as their spokesman, are not satisfied with the present state of things. It is true that there are some communal organisations here and there wanting some special concessions for their community, but it does not mean that they are opposed to the national demand. Rightly or wrongly, there is an impression, Sir, that the landed aristocracy of the country is against the national demand. Let me hasten to correct this impression. We landholders are not opposed to responsible government. We are as keen on having full responsible government as any other community in India. In the lower House, when this Resolution was brought by the Honourable Pandit Motilal Nehru, I supported it on behalf of the landholders whom I had the honour to represent in that House, and my recent election to this august House from the general constituency of the Central Provinces is proof positive that my constituency was not opposed to these views, because most of my present electors also belong to the same class.

The amendment which I am moving to-day is only a request that the Resolutions which were passed by the Legislative Assembly on the 18th February, 1924, and the 8th September, 1925, should be given effect to by the Government. I think, Sir, it is a mere mockery if the Government do not want to give effect to the Resolutions passed by such an overwhelming majority in the popular House. If such a united and popular demand is

treated in this way, may I be permitted to say, Sir, that the representatives of the people will again have to adopt the policy of civil disobedience. I am not making any threat, Sir. I am only putting forward before this House the true sentiments of the people in very very plain words. The last session of the Congress at Cawnpore rightly voiced the opinion of the country when it declared that the time has come for the parting of the ways and now it is for England to choose whether she wants a peaceful and contented India or an India seething with disloyalty and disaffection and opposed to the British connection. In the history of nations, Sir, as in the history of individuals, a time for stock-taking comes, when decisive steps have to be taken, and never before in the history of the British nation, since 1774, has such a time come. The whole world is watching how England solves the problem of India. It will not be possible for England to say that this is only a domestic affair between England and India, because, one-fifth of the population of the world is concerned here and the future peace and prosperity of the world depends on the solution of the Indian question. It was the moral sense of America which brought the Irish people their Free State constitution and perhaps brought freedom to Egypt too, and it will be the same moral sense which will decide the connection between India and England. Will His Majesty's Government have courage and foresight to declare their policy before it is too late? Let us wait and see. With these words, Sir, I move my amendment and I have full hope that the Honourable Mr. Sethna will accept my amendment because it is substantially the same as the amendment which he moved in this very House in September last.

THE HONOURABLE MR. P. C. DESIKA CHARI (Burma: General): Sir, I formally move an amendment to the amendment proposed by the Honourable Seth Govind Das. My amendment, as an amendment to the proposition just moved by the Honourable Seth Govind Das, will be as follows:

"That for the words 'to make a declaration in the Parliament announcing its decision to take immediate steps to embody in the constitutional and administrative machinery of India the fundamental changes asked for' the following words be substituted, namely: 'to appoint forthwith a Royal Commission or other suitable agency to formulate a scheme for the establishment of responsible government in India in accordance with the recommendations contained'."

The second portion of my amendment is that the words "and to obtain the decision of His Majesty's Government thereon" be omitted. Before I formally place this proposition before this House and before I deal fully with this amendment, I should like to make a few observations as regards the position which I wish to lay before the Council for acceptance. Sir, I am a student of constitutional history, and as a student of constitutional history I tried to understand the origin and growth of all constitutions. I have found that in the constitutional history of Great Britain and her Colonies and of all countries which have full responsible government, at one stage or another a condition of things takes place which we find here in India to-day. In matters of detail it may be somewhat different, there are different aspects of it; but all the same we have all the difficulties which are pointed out to us when we ask for a substantial form of responsible government. I find that in all countries parliamentary institutions preceded the unification of the nation. That was the case in England. That was the case in several Continental countries. The fitness for responsibility, the full attainment of nationality and all those things do not precede parliamentary institutions, institutions in the real parliamentary

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sense with an Executive fully responsible to the Legislature. We always find that there were elements in those countries which would be very good arguments for not introducing this element of responsibility in the government of those countries. I wish to preface my remarks in this way because, as my friend the Honourable Mr. Sethna pointed out, it is not a matter which has to be decided purely on sentiment. It is more a question of reason; and I beg to add that sentiment also has to be taken into account. I have closely watched the attitude of British statesmen from the very beginning ever since the days of Lord Macaulay who advocated the introduction of a western system of education in India. Those statesmen, I take it, were fully aware of the consequences of the steps which they boldly advocated. They knew that the introduction of a western system of education would lead sooner or later to a demand for responsible institutions. But they were far-seeing statesmen and they never doubted that they should in time have to consider the desirability of introducing the element of responsibility in the Government of India. They knew the demand would come sooner or later and they were watching for the opportunity when that demand should come, and they took it for granted that when that demand was made it would be an indication that the people were prepared to undertake the responsibility of representative government. They never thought it must be subjected to a series of tests or that it must be subjected to the tests on the lines of the question which is being put to us now—"Show us that you understand representative institutions! Show us that you understand responsibility! Show us that you can discharge fully and effectively the duties of administrators if this principle of government is introduced in this country!" They never thought these questions ought to be put. But, unfortunately, we are not living in the days of those great statesmen, those far-seeing statesmen, who only thought there ought to be a demand for it to be fully conceded, who thought the demand as and when made ought to be met straightaway without delay or excuse by the grant of responsible government. Now as things went on I find in the history of the Indian constitution that successive British statesmen wavered. There was a tendency to go backwards and forwards; there was a vacillating tendency. No doubt as a result of this we have had several Royal pledges, in 1857, 1887, 1898, 1906, and lastly we have had the pronouncement of 1917. All these things show that latter-day statesmen never wanted to place the constitution of India on the same footing as the earlier British statesmen who were more far-seeing in their outlook. We know how these pledges have been kept. We know the effect of those pledges. All the same they are there as distinctive landmarks, I take it. In 1861 the principle of associating the people of India in the government of India was recognised and in the Act of 1892 the principle of allowing the people of India to choose their own representatives was acknowledged. These are two important landmarks. Instead of conceding it the moment there was a demand for representative institutions they went on giving little by little. I only refer to these things for the purpose of showing that it is too late in the day to meet our demand in the fashion in which it is met to-day. We are told "Show us that representative institutions are quite suitable to you; show us by the working of the Act and by actual administrative ability that you are fit to undertake responsibility." That brings me to the present Government of India Act. What have we got in it? There is the Preamble which has been a battle ground ever since the Act was enacted. It is not necessary for me to go into the merits or demerits of the question

from the point of view of the purely constitutional lawyer. It will serve no purpose because the Preamble is there and we have to face it. It may be in conflict with the general principles and general rights of Indians as a nation, but it serves no useful purpose to question the Preamble. Let us face the facts; let us face the reality. The Act according to all accounts is unsuitable in various respects. We shall see what the Act is. It merely gives representation, a larger measure of formal representation, partial responsibility and a wide scope for criticism. From the working of such an Act no conclusion can be drawn. If a proper share of responsibility had been given to the representatives—I mean if people had been given an opportunity to work the reforms in a practical manner—it would be different. My Honourable friend Mr. Sethna said we must have training in responsibility before we can ask for responsible government. There I join issue with my Honourable friend. I say no person can feel the sense and weight of responsibility unless and until he is shouldered with responsibility. Before responsible government is given in the proper way how can you test whether a person is fit to shoulder responsibility, whether he is in a position to discharge that responsibility? We have a half-hearted attempt to deal out some kind of responsibility in the Provinces, and we know that in all these measures the representatives of the people were considerably handicapped and could not show fully what they were capable of understanding and feeling a sense of responsibility. The Act gave plenty of scope for criticism, and the representatives of the people having been brought together they had to do something. They found they had not very much to do in shouldering responsibility, and they did exactly what any opposition in a Government conducted on party lines would have done. From the speeches that are made in the Assembly and in the Councils we do not find much of a difference—though there may be some difference in details—between methods here and the methods adopted in Parliaments of countries having fully responsible government. When there is wide scope for criticism, when people are not allowed to feel their responsibility and where they have not to shoulder any responsibility, it is but natural that they should make the fullest use of the scope for criticism that is given to them without any real share in the working of the constitution.

Then there is a further test of responsibility which was a part of the scheme of the Government of India Act, and that is dyarchy. Dyarchy, I take it, is an artificial and ingenious device to test our capacity as to how we are able to feel the sense of responsibility under the most trying conditions. The test was one which it was almost impossible for any person to pass successfully. But I take pride in the fact that our people, even under the most trying conditions which dyarchy brought in, were able to show that they are capable of realising fully the responsibility of conducting constitutional government with responsibility attached to it. I take pride in the fact that the province of my birth, Madras, and the province of my adoption, Burma, have not only passed these tests in dyarchy but have done so with credit and distinction. I would also say that the remaining provinces of India have also succeeded in this test of dyarchy in a greater or less degree. You may say: "There is Bengal; there is the Central Provinces." Yes; there are those provinces; and the view I take of the working of the constitution in those provinces is this: that they have understood dyarchy and they have understood the elements of responsibility involved in carrying out dyarchy and they have further had the courage to show in the practical working of it, the unworkability of dyarchy in responsible institutions. That is what has happened. From the elements of responsibility that have

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been introduced, under the present Government of India Act, judged from the working of that Act during all these years, I can say with confidence and without fear of contradiction, that the people have shown that they are capable of realising their responsibility and it is not necessary to go further to test the capacity of Indians for realising responsibility because, as I have already stated, responsibility can only be tested if people are shouldered with it to see if they are in a position to feel the weight of their responsibility of carrying on the administration . . . . .

THE HONOURABLE THE PRESIDENT: The Honourable Member has exceeded his time limit. I must ask him to bring his remarks to a close.

THE HONOURABLE MR. P. C. DESIKA CHARI: I shall, Sir. As regards my amendment I need not deal at very great length with it. The amendment merely comes to this, that for the Royal Commission I want to say Royal Commission or other suitable agency. Personally, I am not opposed to a Royal Commission being appointed; but in order to make it wider and to make it possible for the Resolution to be acceptable to a larger number of people I have proposed this. There is no harm in this. So long as an agency is appointed which would consider the various aspects put forward by the respective leaders of political thought, it does not matter whether it is a Royal Commission or any other agency, so long as it is a suitable agency, which would be appointed by Parliament or by His Majesty's Government, to find out actually the views of the respective parties. So long as there is a chance of the case of all parties being heard fully before that agency there can be no objection to the form of agency. I believe there is no objection to make the Resolution as wide as possible. As regards the other amendment, I have brought in the Resolutions of the Assembly for this purpose . . . . .

THE HONOURABLE THE PRESIDENT: I am afraid I cannot allow the Honourable Member to start now on the Resolutions of the Legislative Assembly. He has exceeded his time in discussing matters which are not directly connected with his amendment, and I am afraid I cannot allow him to go back to his amendment now.

The Council then adjourned for Lunch till Half Past Two of the Clock.

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The Council re-assembled after Lunch at Half Past Two of the Clock, the Honourable the President in the Chair.

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THE HONOURABLE MR. V. RAMADAS PANTULU (Madras: Non-Muhammadan): I wish to intervene in this debate at this early stage in order to state what the attitude of the Swaraj Party is towards this Resolution. I know that I cannot contribute anything to the discussion on the merits of the Resolution for the arguments have been repeated . . . . .

THE HONOURABLE SIR ALEXANDER MUDDIMAN: I wish the Honourable Member would raise his voice. I cannot hear one word of what he is saying.

THE HONOURABLE MR. V. RAMADAS PANTULU: I desire to intervene in this debate at this early stage in order merely to state what the attitude of the Swaraj Party is towards the Resolution, for I know that I cannot contribute much to the merits of the discussion for the arguments have been repeated perhaps for the hundredth time for and against it. The Swaraj Party is accused of inconsistency and impracticability in its attitude towards constitutional reform. I repudiate these charges most emphatically. Ever since the reforms were adumbrated in 1919, genuine public opinion in this country and the Indian National Congress have condemned them unequivocally as being unsatisfactory, inadequate and disappointing; in fact, they were considered to be so illusory as to induce the Congressmen not to seek election to any of the reformed Councils during their first term. But our abstaining from entering the Councils was taken advantage of in order to show that the constitutional machinery was running very smoothly and that there was a good case made out for prolonging if not perpetuating that system. The Swarajists therefore made up their minds to enter the Councils in order to show up this pretension and to demonstrate the utterly unworkable and sham character of the reforms. We firmly believe that the so-called partial responsibility in the provinces with an irresponsible executive is an utterly unworkable scheme. The responsibility of the Government of India to the British Parliament and to the Secretary of State and their irresponsibility to the people of this country and to the Central Legislature nullified the effects of any reform scheme however well it might be conceived. So, our representatives as soon as they entered the reformed Councils in 1924 took the very earliest opportunity afforded to them to state their case and formulate their demand. That demand was acceded to by the Assembly and I have no hesitation in calling that the demand of the country. I do so with greater confidence to-day for the Indian National Congress, which represents the best political opinion in this country and which is the most representative political body, has endorsed that demand in a Resolution which was carried unanimously at the recent session of the Cawnpore Congress. That resolution is as follows:

"This Congress adopts on behalf of the country the terms of the settlement offered to the Government by the Independent and Swaraj Parties of the Assembly by the Resolution passed on the 18th February 1924."

Our demand of the 18th February 1924 led to a secret departmental inquiry which was followed up by an open inquiry by the Muddiman Committee, and when the Government tabled a Resolution to give effect to the recommendations of the majority of that Committee, we brought forward an amendment to reiterate our demand. That amendment was, no doubt, moved by Pandit Motilal Nehru as he was the leader of the largest non-official party in the Assembly, but it was supported by all sections of non-officials in that House and it was carried by a large majority. It subsequently, appeared, from comments in the Press, that outside the Assembly also every section of politicians welcomed it as being a legitimate, reasonable and proper demand. In this House my Honourable friend Mr. Sethna and myself moved a similar amendment, though naturally it shared a different fate, in September 1925. I regret that my Honourable friend, Mr. Sethna, has to-day contented himself with merely asking for a Royal Commission. But, however, so far as we Swarajists are concerned, nothing has happened in the interval to make us change our attitude. It is said in some quarters that the demand of September 1925 was purposely pitched

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in a lower key as the earlier one was found to be impracticable and that the time has now come to realise that the second demand was equally impracticable and therefore it ought to be lowered when a third demand is made. I must submit that this is an entire misreading of both the demands. I shall only state in a word what the effect of those demands is. It is true that we stated that our goal was full responsible government. Even the Government of India Act says so. I do not think that there is any need to quarrel over that. After stating that, we said that we are willing that our national claims may be examined by a suitable agency in which the varied interests which are involved in the momentous question of self-government are properly represented. We did not ask for Swaraj being tied up in a bag and handed over to us, as was very aptly pointed out by Pandit Motilal Nehru in the Assembly. We never burked an investigation; we never burked an inquiry. The only thing that we wanted was that the agency should be a suitable one and that certain preliminaries should be conceded. That was the attitude we took up. Then in the second demand we reiterated our first one in express terms, and stated that there ought to be some minimum agreement before we could negotiate for the settlement of a suitable scheme by mutual understanding. The main point in the second demand is this. We say that unless the revenues of India are vested in the Government of India and administered by a responsible Central Legislature, there cannot be any responsibility in the administration, and that no other change except this will meet the requirements of the situation. We maintain that, unless a declaration is made in Parliament, by His Majesty's Government of its intention to embody in the constitution of India this fundamental change, it would not be much use to negotiate with the Government for an honourable settlement. That is the attitude we took. After the necessary declaration was made, all that we said was we were willing that other questions might be investigated by any suitable agency. May I ask what there is which is impracticable or impossible in either of these demands? So our position remains to-day precisely the same as it was in 1924 and 1925. The very fact that my Honourable friend Mr. Sethna moved the very same amendment as the Honourable Seth Govind Das moved to-day shows that Mr. Sethna did not then consider that amendment as ruling out a Royal Commission from our contemplation. There is no charm in a Royal Commission. Any agency will be equally good provided certain pre-requisite conditions are satisfied. If we are satisfied that there is a genuine change of heart on the part of Government, and if there is any indication that we are likely to get what we are aiming at by a Royal Commission, we Swarajists have certainly no objection to it. I do not understand my Honourable friend Seth Govind Das to say that he does not want a Royal Commission. He said he had no faith in a Royal Commission. As a matter of fact, we have no faith in many of these things. But if there is going to be any indication of a change of heart on the part of Government, if a Royal Commission is going to give us the kind of thing we want, or if we know that the terms of reference or the personnel and other things are so satisfactory as to inspire confidence in our minds, we should be certainly willing to co-operate with this agency. That is the attitude that we take; but I may at once state that any Resolution for the appointment of a Royal Commission without any definition of its scope or without any indication

of the basis on which it is to formulate its proposals for further constitutional advance will not be acceptable. At the same time we reserve to ourselves the right to reconsider our position, and to decide whether to co-operate or not to co-operate with any agency when it comes into existence. That is our attitude, Sir, towards this proposal for a Royal Commission.

Now, Sir, I have very briefly to answer two objections which are brought against the Swarajists. They are both based upon two different portions of the Preamble to the Government of India Act. The first objection is based upon the portion of the Preamble which says: "that the advance is to be by successive stages of which the Parliament will be the sole judge", and we are told that it would be impossible for us to ask for any other agency or for any other mode of settlement except with the intervention of the Parliament. Our short and brief answer to this is, we consider that the Preamble is absolutely wrong. It is an insult to our national self-respect. According to us, the only test of fitness for self-government is national self-consciousness and self-determination. The Government of India Act is one of the many pieces of legislation passed by the British Parliament, and I do not believe that any special sanctity attaches to it any more than to any other Act. Our claim is that the Preamble along with the Act ought to be repealed. Therefore, it is no use to confront us with a recital in a document to which we take very serious exception.

Then the second objection is based upon that portion of the Preamble which says: "Whereas the action of Parliament must be guided by the co-operation received from those on whom new opportunities of service will be conferred". With regard to this demand for co-operation, I will make two respectful submissions. If the co-operation that is demanded of us consists of asking us to work the unworkable provisions of the Government of India Act, I am afraid the Government are asking for the moon. We are fortified in our view that many of the provisions of the Act are unworkable by the mass of the voluminous evidence which was recorded by the Muddiman Committee. Ministers who had faith in the reforms and who went into the Councils with the determination to work them to the best of their ability have declared that the Act was unworkable. And after their evidence and after the general consensus of opinion in the country on the part of various political bodies, it is useless now to tell us that it is still workable and that we should work it. We have made our position clear time and again and it is no use asking us to work Dyarchy. But if the co-operation that you want us to extend consists in a change of heart and the attitude of the Swarajists towards Government and their willingness to participate in the beneficent activities of Government, I claim that we have given ample evidence of our co-operation in the past, and I assure you, Sir, that in the future we are willing to pursue such a policy. Deshabandhu C. R. Das in his Faridpur speech has extended the hand of honourable co-operation and fellowship if the Government desire to grasp it. Our leader Pandit Motilal Nehru every day also extends the hand of fellowship and co-operation to the Government from his place in the Assembly, but I find that it is not grasped. That is the difficulty. And more than all this, more than Pandit Motilal Nehru and Deshabandhu Das, the Indian National Congress has declared in unequivocal terms that if there is a right gesture from the Government, if there is a genuine change of heart on the part of Government, the people can co-operate with the Government.



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Then my Honourable friend Mr. Sethna referred to the Resolution which spoke of Civil disobedience. But I will refer to another portion which runs thus:

"The Congress is also of opinion that the guiding principle in carrying on political work shall be self-reliance in all activities which make for the healthy growth of the nation and resistance to every activity governmental or other which would impede the nation's progress towards Swaraj."

Now, I ask, is that not honourable co-operation? If that is not, what else can be? An absolute surrender to the Government's demand to co-operate with them without their co-operating with us is certainly not honourable co-operation. As for Civil disobedience, I will say only one word. As an ultimate resort, it is true that the Congress pronounced that that was the only legitimate weapon, that was under the inspiration of the great man Mahatma Gandhi who ruled out all violence. He said that for a subject people, if it is oppressed and if the foreign bureaucracy impedes progress, the ultimate weapon was civil disobedience. The Congress accepted it. We are accused of want of constructive talent. May I ask my Honourable friend Sir Alexander Muddiman to place himself in our position and to suggest, if he were a Congressman, what weapon he would place in our hands. Let him take up constructive statesmanship in his hands. Let him for a minute suppose that he is guiding the deliberations of the Indian National Congress. What advice will he give to a disarmed nation in order to win liberty, if not civil disobedience? If he can suggest an alternative, and if the Honourable Mr. Sethna can suggest his alternative, we will certainly take them. But we want some alternative, because a nation struggling for liberty ought to have some weapon for attaining that liberty. They ought to be really glad that resort to violent methods which is tried in the West is tabooed by the wisdom of those who are at the helm of affairs in the Indian National Congress. Therefore, Sir, the two objections that are raised against a further constitutional advance on the lines of the demand of the Swarajists, namely, that the responsibility rests with the Parliament and that co-operation has not been forthcoming are not real. I would characterise them as mere inventions to obstruct our progress. That is the attitude that is taken by Government. I once more beg to reiterate our attitude towards this question. We have not ruled out any agency by which further investigation can be made towards constitutional advance. All that we want is a genuine indication of a change of heart on the part of the Government and some guarantee that progress on the lines on which we wish to achieve it is forthcoming. If it is forthcoming, there is no particular objection to a Royal Commission, nor is there any particular charm in it. We Swarajists are not prepared to accept any agency unconditionally without its scope being defined or without some indication of our demand being complied with. With these words, Sir, I heartily support the amendment moved by the Honourable Seth Govind Das. At the same time, I assure my Honourable friend Mr. Sethna that we do not take an attitude hostile towards his Resolution, although we cannot approve of it in its present form.

THE HONOURABLE SIR ALEXANDER MUDDIMAN (Home Member): Sir, I take it that it is your desire that the debate should now proceed merely on the amendment and the amendment to the amendment. I shall

therefore confine myself strictly to the amendments and to the speeches which have been made on them.

“ Two Voices are there;  
One is of the sea,  
One of the mountains;  
Each a mighty Voice.”

Had I been told that the voice which spoke for the Swarajist Party from behind me belonged to the same party as that of the gentleman in front of me to whose speech I have just listened, I confess I should not have been able to believe it. They seemed to me as different in terms as they are different in argument. My Honourable friend Seth Govind Das's amendment runs as follows: He desires that we should recommend to His Majesty's Government to make a declaration in Parliament announcing its decision to take immediate steps to embody in the constitutional and administrative machinery of India the fundamental changes asked for in the Resolutions moved in the Legislative Assembly on the various dates he specifies. What were those Resolutions? They were, with a few minor reservations, for complete responsible self-government. We were invited to go home and say, “ You should now scrap the Government of India Act, scrap the Preamble which they dislike, scrap any trials that have been made, and with a stroke of the pen grant responsible self-government, or rather say that you will do it.” Now, two gentlemen have spoken on that amendment and they have used very different arguments in support of it. I will turn first of all to the Mover of the amendment. He told me that he spoke for the Swaraj Party. The Swaraj Party seems to have two voices in this House . . . .

THE HONOURABLE MR. RAMADAS PANTULU: No, Sir.

THE HONOURABLE SIR ALEXANDER MUDDIMAN: Two very different voices. Who is speaking for the Swaraj Party? Who is the representative in this Chamber of that Party which looms so largely in another place? Is it the Honourable Seth Govind Das who has moved the amendment or my Honourable friend who had an amendment on the paper which he did not move? That, Sir, is a matter for consideration, and I await an answer. What did the Mover of the amendment say? He said he had no faith in a Royal Commission. He was not for a Royal Commission. He distrusts them. That was not the language used by my Honourable friend opposite. He said nothing of the kind. He seemed to me to approach the question from a different attitude. The Resolution does not ask for any preliminary inquiry or for any preliminary steps. We are to take this action without any preliminary steps at all, and yet, in his argument, what did my Honourable friend say? He said, “ You must have a Round Table Conference attended by representatives of the 320 millions.” Is there anything in his Resolution about 320 millions or a Round Table Conference? He told us that he does not have faith in Parliament. He does not want to go to Parliament. He would regard anything that came from that source as suspicious. That is not again the language used just now. Before Government can deal with arguments of this kind, said to be addressed in the name of the same Party, it will be necessary for that Party to get rather closer under its own umbrella than it seems to be at present. Sir, we saw a remarkable instance, which is very much what is going on here, in another place on the Resolution in September. There we saw a Resolution dubious in its terms, possibly intentionally dubious in its terms, intended to bring under agreement or supposed agreement very dissimilar

[Sir Alexander Muddiman.]

opinions. What happened when the discussion took place? Nothing was clearer than that speakers were putting forward views which were almost fundamentally different. Although they gave their adherence to the Resolutions which, if very carefully looked into and very carefully interpreted, might possibly bring those views together, yet the arguments used and the considerations put forward were entirely different. That is what is happening to-day. This amendment is moved by a Member said to be a Member of the same Party and is supported by a Member said to be of the same Party for entirely different reasons and in an entirely different way. My friend opposite says that he is a reasonable man. *He is willing, given certain conditions by means of the holding out of the hand of friendship, to accept without quarrel gifts from Parliament.* Indeed, if I may say so, that is the only way he can attain any of his desires. He sits here, as I sit here, entirely owing to the decree of the English Parliament and the sooner that is grasped, the better it will be for all of us. We have heard a good deal of the fact that no threat is used, but what did my Honourable friend behind me say? He said, "We are not co-operating. We do not desire to co-operate." My friend in front of me said, "We are co-operating. We desire to co-operate. We wish to co-operate." Sir, those are words I heard very willingly, and I congratulate my Honourable friend on the straightforward view that he has taken, but they are discrepant to the words I heard from behind me. The Honourable Seth Govind Das observed that he had no trust in the British policy. I took his words down. He has no trust in the British policy. I did not hear my Honourable friend opposite say that he had trust in the British policy. I will just remark that he did not say that he had distrust in the British policy. Then I was told that of course the final right of every country, of every people, if it does not get what it wants is civil disobedience. On the one hand, it was used in the form of a threat; on the other, as the last resort of a desperate people. There is a wide distinction undoubtedly between those two propositions; but let me tell both my Honourable friends that civil disobedience will not remain civil disobedience, it will become very uncivil disobedience in a very short time. It has become so in the past, it will become so in the future, and those who use words of that kind will do well to weigh the consequences of their words.

Sir, this particular amendment I am bound to oppose on behalf of Government. It was opposed on a previous occasion in this House. It was opposed in another place. This House rejected it. I trust this House with its usual consideration, with its usual weight of judgment, with its usual foresight, will again reject it. On this amendment I am in a position to give the considered opinion of the Government of India. It was brought forward in September. We considered it then and we put forward the provisional opinion of the Government of India then. We have considered it since then and after the debates in both Chambers and I have authority to say that the Government of India are unable to make any such recommendation to His Majesty's Government in the terms of the amendment. And, Sir, what is the difference between the amendment and the amendment to the amendment? Nothing, a difference of terms, very small indeed. The Royal Commission my Honourable friend behind me, Mr. Chari, wants is to be a Royal Commission not to examine, not to consider the steps to be taken; it is not a Commission such as is contemplated by section 84A of the Government of India Act; it is not to inquire and report as to what extent it is desirable to extend, modify or

restrict the degree of responsible government; it is a Commission which has a mandate, which is sent out with a mandate and it is merely to formulate the machinery by which that mandate is to be given effect to. Indeed there is no difference in effect between the two—the amendment and the amendment to the amendment; and on those grounds I must oppose both the amendment and the amendment to the amendment.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-official): Sir, while listening to the debate on this motion, the old story came to my mind about the three tailors living at one time in England in Toole Street who said "We are the people inhabiting the British Isles and it is our desire to do so and so." Now those three tailors were no more the whole of England than the Swarajists are the whole of India. It is absolutely wonderful that my Honourable friend should render an explanation in the way he did and say: "We Swarajists want so and so". I may tell my Honourable friend that we are not all Swarajists here and we do not mind what the Swarajists think, at any rate the present day Swarajists who like the three tailors of Toole Street put themselves forward as representing the whole of India. At all events, that has nothing to do with it and I wish to support the proposition put forward by the Honourable Mr. Sethna about the Royal Commission . . . . .

THE HONOURABLE THE PRESIDENT: If the Honourable Member wishes to speak specially on Seth Govind Das's amendment I will allow him to proceed, but I think he should reserve his remarks on Mr. Sethna's Resolution until we have got the amendment out of the way.

THE HONOURABLE MR. G. S. KHAPARDE: I wish to speak on the main proposition. I am not to speak on the main proposition?

THE HONOURABLE THE PRESIDENT: Not at the moment.

THE HONOURABLE MR. G. S. KHAPARDE: Well, I oppose the amendment.

THE HONOURABLE RAO SAHIB DR. U. RAMA RAO (Madras Non-Muhammadan): Sir, in supporting the amendment of my friend, the Honourable Seth Govind Das, I beg to draw the attention of the Council to the two Resolutions passed by the Legislative Assembly, one on the 18th February 1924, and the other on the 8th September, 1925, putting forth our demands with regard to the grant of a further instalment of reforms to India. I would like to know what the Government have done to give effect to these Resolutions. These Resolutions constitute the united demand of all parties and shades of political opinion represented in the Assembly. Is that not the demand of the entire Indian nation? What have the Government done in the matter? The only thing we have heard from Lord Birkenhead downwards is, "We want co-operation. We want co-operation".

His Excellency the Viceroy told us the other day not only that by "the evidence of a spirit of a more friendly co-operation and goodwill, an earlier appointment of the statutory commission might be secured," but also that the appointment of a Statutory Commission was "the aspiration of all in India whose avowed desire is to attain political progress by constitutional means." Sir, I do not desire to refute this statement here to-day at any length. But if by this he meant that the Swarajists' avowed desire is to attain political progress by unconstitutional means, it is wholly incorrect so far as their existing programme is concerned. If in spite of them any

[Dr. U. Rama Rao.]

parties in any part of the country are hereafter driven at any time to unconstitutional means of attaining political progress, the responsibility will be wholly that of the Government. When the Swarajists deliberately suspended their full non-co-operation programme and came into the Legislatures, the head of their Party, my revered leader Pandit Motilal Nehru, made an offer of friendly co-operation and goodwill in the Assembly which to this day remains unaccepted and unappreciated. This was two years ago and his words may be quoted again with advantage. He then said :

"Sir, we have come here to offer our co-operation, non-co-operators as we are, if you will care to co-operate with us. That is why we are here. If you agree to have it, we are your men; if you do not, we shall, like men, stand upon our rights and continue to be non-co-operators."

This offer was followed, so far as we in the Indian Legislature are concerned, by action which in every way has kept that offer open to this day and evinced marks of a desire to co-operate with the Government whenever necessary in the interests of the country from time to time. Well, never mind about us. What about the demand made by politicians of other Schools who had co-operated and who had worked the reforms faithfully and sincerely from the very commencement, for instance, the Justice Party in Madras? Was not their cry for a further instalment of reforms also a cry in the wilderness? What consideration have the Government shown to the Justice Party who have been extolled by the Government as having worked the reforms very successfully in the Madras Presidency? The fact of the matter is that the bureaucracy are unwilling to part with their power which they had so long enjoyed and there is absolutely no question of our co-operation or non-co-operation coming in the way nor our capacity to work the reforms. In spite of the many proofs of the co-operation we had so far shown His Excellency the Viceroy would want "a more ready and complete response". By "complete response", does His Excellency mean an abject surrender and offer to do whatever may be demanded of us in the name of the Government? Sir, is that the pre-requisite condition of political progress? If that is so, even in this rarified atmosphere of the Council of State I venture to say, Sir, no self-respecting Indian worth his salt would accept that position. We, Swarajists here, therefore, still await the final reply to that offer that has remained open for these two years; and on the response to that offer will depend the further course of action which we Swarajists, as representing the constituencies, will decide to take.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras: Muhammadan): Sir, I intend to speak on the amendment moved by my Honourable friend, Mr. Chari, and I should like to know if I am in order in speaking on that amendment.

THE HONOURABLE THE PRESIDENT: The Honourable Member can proceed.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: I am thankful to you, Sir, for having permitted me to take part in the discussion of so important an issue which is now engaging the attention of the House. Sir, in spite of the hair-splitting that has just been indulged in, in spite of the vast gulf of difference that seems to have been discovered by the Honourable Member who spoke on the Government side between the main Resolution moved by my Honourable friend, Mr. Sethna, and the amendment moved by my Honourable friend, Mr. Chari, I see, Sir, that in

effect they are both one and the same. Sir, this amendment which the Honourable Mr. Chari proposes does not seek to rule out a Royal Commission. It differs only, in this respect, that it tries to bring prominently to the notice of the Commission which would be set up to make this investigation, one aspect to which they would have to direct their attention, namely, to make every honest and possible effort to see that the foundation is laid for the speedy realisation of responsible government. For after all, that amendment proposes that a scheme should be framed for the establishment of responsible government in India in accordance with the recommendations contained in the Resolutions of the Legislative Assembly of the 18th February, 1924, and the 8th September, 1925, respectively. Now, Sir, any committee, any body of reasonable people who will be asked to frame a scheme for this particular purpose, would not at once jump to the decision that the government that is given to the country here should be all at once a responsible government. Before doing this I believe, Sir, it stands to reason that this Royal Commission or Round Table Conference or any other suitable agency that may be appointed will certainly go into the question as to whether there are circumstances here which necessitate the framing of the scheme and also whether the scheme that is proposed would be suitable to the conditions which now obtain here. Therefore, Sir, even though to the Resolution moved by the Honourable Mr. Sethna two amendments have been moved, and though I am not in agreement with the amendment moved by my Honourable friend, Seth Govind Das, since it seems to exclude the appointment of a Royal Commission, I for one would welcome any agency that may be appointed to go into this question which calls for an immediate solution. Now, as I said, two amendments have been moved to the Resolution of the Honourable Mr. Sethna. To me it seems quite clear that in all the three different suggestions that have been placed before this House, there is one common feature; there seems to be one idea which permeates them all, which pervades them all through. That idea is this, that there is a demand made by all shades of political opinion in this House and outside for a substantial and real advance—a demand for an advance which is not to be circumscribed within the four corners of the Government of India Act, 1919, but an advance which would place the Indian constitution on a broader and more liberal and more popular basis. Now, Sir, when we see this demand made, the question that naturally arises for consideration is whether we have reached a stage which calls for a step forward. To make out an answer to this question in the affirmative, I do not think any great effort is needed or any very clever arguments advanced at this stage; since this question has been before this and the other Chamber on more occasions than one. All that I say is this: that the present state of things, the stern facts, the grim reality of which you cannot ignore, the glaring defects which have been disclosed at every inch that you proceeded to work the dyarchic system—all these point to one and the only natural and inevitable conclusion—that the whole system of administration calls for a complete overhauling, for a change affecting root and branch. Now, Sir, as we have seen, dyarchy has been tried here too long. Even those that had faith in it and made every possible effort to work the system successfully, have ultimately lost their faith and have at last acknowledged it to be thoroughly unsuitable to the conditions of this country and entirely unworkable. Even in Madras, Sir, the province I come from, where dyarchy is supposed to have worked best, the little measure of success that was achieved was achieved by ignoring dyarchy and, in the

[Saiyed Mohamed Padshah.]

words of Lord Birkenhead, by making very considerable inroads on the dyarchic principle. Therefore, Sir, I would ask whether it is not time that the system is done away with and that we tried seriously to consider ways and means by which a better state of things may come into being, that we try and evolve a system which may be more workable, which it may be worth one's while to work well, and worth one's while to try to work well. Now, as long ago as 1921 the Government thought that the Government of India Act should be revised earlier than 1929. Now, Sir, these 5½ years which have elapsed since have witnessed great developments, have seen very great changes, so that I would not be far wrong if I say that the political horizon to-day in India is much brighter than what it was before, and the case for a revision of the Government of India Act is very much stronger now than it was in 1921. I am of opinion that even though there may be some difference in the point of view of some schools of thought here and even though it may not be readily appreciated by the powers that be, the offer that has been made by the people who have till now stood outside the Councils should not be rejected. Time and again it has been made clear to Government by responsible Members both in this House and in the Assembly that whatever might have been their attitude in the past the Swaraj Party is now perfectly willing to co-operate provided it feels that there will be some real advantage in doing that. Though it is a fact that this statement is hedged round with a lot of other things which may seem to some people who are apt to take alarm too quickly to be objectionable, to me the offer appears to have been made in the plainest of terms possible and we should not therefore mind the way in which it is hedged round so long as they have proclaimed that they are prepared to co-operate. I will close my remarks by submitting this. Whether a Royal Commission is the agency by which this investigation has got to be made or whether it is by a Round Table Conference, let every honest effort be made in order that the investigation may after all prove more fruitful than the Reforms Inquiry Committee. There was overwhelming evidence before it which went to show the thorough undesirability and the utter unworkability of the present constitution but it failed to produce any result. I only hope that the new agency that may be created to investigate the problem will be given much wider terms of reference so that even though they may not now and all at once give us responsible government, they may prepare a scheme which will set us on the right path to work our way soon to responsible government. With these words I resume my seat.

THE HONOURABLE THE PRESIDENT: I gather from the last two speeches that it will certainly assist the Council if I proceed to clarify the issue by taking a decision of the House on the two amendments and I proceed now to put them to the House.

The original question was:—

"This Council recommends to the Governor General in Council to urge upon His Majesty's Government the appointment forthwith of a Royal Commission to investigate and inquire into the working of the present Indian constitution and to formulate a scheme for the establishment of responsible government in India."

To which an amendment was moved:

"To substitute for the original Resolution the following:

'This Council recommends to the Governor General in Council to move His Majesty's Government to make a declaration in the Parliament announcing its decision to take immediate steps to embody in the constitutional

and administrative machinery of India the fundamental changes asked for in the Resolutions passed by the Legislative Assembly on 18th February, 1924, and 8th September, 1925, and to obtain the decision of His Majesty's Government thereon."

To which two amendments were moved:

"That in the amended Resolution proposed by the Honourable Seth Govind Das for the words 'make a declaration in the Parliament announcing its decision to take immediate steps to embody in the constitutional and administrative machinery of India the fundamental changes asked for' the words 'appoint forthwith a Royal Commission or other suitable agency to formulate a scheme for the establishment of responsible Government in India in accordance with' be substituted, and the words 'and to obtain the decision of His Majesty's Government thereon' be omitted."

The first question that I have to put to the House is that those two amendments be made in the amended Resolution proposed by the Honourable Seth Govind Das.

The motion was negatived.

THE HONOURABLE THE PRESIDENT: The question that I have now to put to the House is 'that the amended Resolution proposed by the Honourable Seth Govind Das be substituted for the Resolution proposed by the Honourable Mr. Sethna.

The Council divided.

AYES—8.

Govind Das, The Honourable Seth.  
Mukherjee, The Honourable Snijut  
Lokenath.  
Ramadas Pantulu, The Honourable  
Mr. V.  
Rama Rao, The Honourable Rao  
Sahib U.

Sett, The Honourable Rai Bahadur  
Nalininath.  
Sinha, The Honourable Mr. Anugraha  
Narayan.  
Suhrawardy, The Honourable Mr.  
Mahmood.  
Zubair, The Honourable Mr. Shah-  
Muhammad.

NOES—37.

Abbott, The Honourable Mr. E. R.  
Abdul Karim, The Honourable  
Maulvi.  
Akbar Khan, The Honourable Major  
Nawab Mahomed.  
Alay Nabi, The Honourable Syed.  
Bell, The Honourable Mr. J. W. A.  
Bijay Chand Mahtab, The Honourable  
Sir, Maharajadhiraja Bahadur of  
Burdwan.  
Chadwick, The Honourable Mr. D. T.  
Charanjit Singh, The Honourable  
Sardar.  
Commander-in-Chief, His Excellency  
the.  
Crerar, The Honourable Mr. J.  
Das, The Honourable Mr. S. R.  
Desika Chari, The Honourable Mr.  
P. C.  
Emerson, The Honourable Mr. T.  
Froom, The Honourable Sir Arthur.  
Harnam Singh, The Honourable Raja  
Sir.  
Hindley, The Honourable Sir  
Clement.  
Hotson, The Honourable Mr. J. E. B.  
Hubback, The Honourable Mr. J. A.  
Kharpade, The Honourable Mr. G. S.  
Ley, The Honourable Mr. A. H.

MacWatt, The Honourable Major  
General Sir Charles.  
MacWatters, The Honourable Mr. A.  
C.  
Manmohandas. Ramji Vora, The  
Honourable Mr.  
Misra, The Honourable Pandit Shyam  
Bihari.  
Morarji, The Honourable Mr. R. D.  
Muhammad Habibullah, The Honour-  
able Khan Bahadur Sir, Sahib-  
Bahadur.  
Nawab Ali Khan, The Honourable  
Raja.  
Padshah Sahib Bahadur, The Hon-  
ourable Saiyed Mohamed.  
Ramnal Singh, The Honourable Raja  
Sir.  
Ram Saran Das, The Honourable Rai  
Bahadur Lala.  
Roy, The Honourable Mr. K. C.  
Sethna, The Honourable Mr. Phiroze  
C.  
Tek Chand, The Honourable Diwan.  
Thompson, The Honourable Mr. J. P.  
Todhnuter, The Honourable Sir  
Charles.  
Umar Havat Khan, The Honourable  
Colonel Nawab Sir.  
Wacha, The Honourable Sir Dinshaw.

The motion was negatived.



**THE HONOURABLE THE PRESIDENT:** That brings the House back to the original Resolution moved by the Honourable Mr. Sethna.

**THE HONOURABLE SIR ALEXANDER MUDDIMAN:** Sir, before I proceed to deal with the terms of the main Resolution, let me commence by congratulating my Honourable friend Mr. Sethna on the able and moderate way in which he put his arguments, and let me assure him that I shall meet him entirely in the same spirit. He is an accomplished speaker to whom I have listened on many occasions from another position in this House, Sir, and if on this occasion I meet him on the floor of the House, it is with great pleasure because I know he is a fair, impartial and reasonable antagonist. If he was somewhat unfortunate in some of his propositions, I doubt not that the reception they met with in this House was somewhat of a surprise to him also.

Now, Sir, I would ask the House to consider very briefly what are the actual terms of the Resolution which my Honourable friend has brought forward. He will pardon me for saying Sir, that his speech seemed to me to adumbrate a Resolution somewhat different in terms from that which is placed on the agenda. He asks that this Council should recommend to the Governor General in Council to urge upon His Majesty's Government the appointment forthwith of a Royal Commission. That is, there is to be an immediate Royal Commission, and that Royal Commission is to do two things. It is, in the first place, to investigate and inquire into the working of the present constitution, and in the second place, it is to formulate a scheme for the establishment of responsible government in India. That is to say, the Royal Commission is not to inquire if, how or in what direction any extension of the present system is to be made. It is to formulate a scheme for the establishment of responsible government. Therefore, what my Honourable friend apparently contemplates is not the advancement of the date of the Statutory Commission provided for by section 84A of the Government of India Act. I must really take up the time of the House by reading this section once again. It is, I think, very important, that we should clarify our views on the subject of a Royal Commission. The Parliament which passed the Act itself also provides a machinery under the Act for the appointment of a Statutory Commission. Reference is often made to a Royal Commission of a different kind. But the method for examining the constitutional position created by the Government of India Act was in fact provided by Parliament itself in section 84A of that Act. That section runs as follows:

"At the expiration of ten years after the passing of the Government of India Act, 1919,"

—and there I pause to point out what is well known to the House that there must be in 1929 a Statutory Commission,—

"the Secretary of State with the concurrence of both Houses of Parliament shall submit for the approval of His Majesty the names of persons to act as the Commission for the purposes of this section. The persons whose names are so submitted, if approved by His Majesty, shall be a Commission for the purpose of inquiring into the working of the system of Government, the growth of education and the development of representative institutions in British India and matters connected therewith, and the Commission shall report as to whether and to what extent it is desirable

to establish the principle of responsible government or to extend, modify, or restrict the degree of responsible government then existing therein, including the question whether the establishment of the second chambers of the local legislatures is or is not desirable."

Now, the words of that section require very careful consideration by this House. What is contemplated is a commission of inquiry by a tribunal which will come out, investigate matters, from its own conclusions and make its own recommendations. If I understand my Honourable friend rightly, his Commission—the Commission, I will not say at any rate that he adumbrated in his speech, but the Commission which he referred to in his Resolution—is something quite different. His Commission anticipates the decision, if I may say so, on the main point which will be in issue. It is to formulate a scheme for the establishment of responsible government in India. Sir, the progress towards responsible government has frequently been compared to a road and we have heard a good deal of the milestones on the road. My Honourable friend apparently contemplates that we should arrive at the last milestone at once and that we should formulate the procedure which is to be followed after we get there. That, Sir, is not what the Government of India Act contemplates. I recognise that my Honourable friend's speech was not quite in accordance with the terms of his Resolution. He there, I think, did contemplate something different. He did contemplate that it would be useless having regard to the long history of these constitutional debates and constitutional controversies which have been going on for some years to ask Government to recommend any fundamental change in the existing constitution without an inquiry of the nature contemplated by the Government of India Act, and I would point out to the House that that was the view taken also by the minority report of the Committee over which I had the honour to preside. They took the view that any drastic constitutional changes in the body politic in India must necessarily be preceded by an inquiry of the nature I have put forward and not by an inquiry with a pre-determined issue. My Honourable friend in speaking put forward the view that what is in issue is a further and immediate advance. He said, "We do not say we are right. We contend we are ready for a further immediate advance. We ask you to submit that case to a tribunal. You may differ from us. You may be right or you may be wrong, but we wish to go before the tribunal now. We are not concerned whether you think we have a good case or a bad case. We ask that we may prove our case." That is to say, in effect, his view is that he has now a case which would justify an impartial tribunal in granting the establishment of responsible government in India. But that is not what his Resolution asks for. His Resolution asks for something quite different. As My Honourable friend (the Honourable Mr. S. R. Das) points out to me, the Commission would come out with the main issues that it has to try decided in the affirmative.

Now, Sir, this question of the advancement of the date, assuming that my friend is basing his arguments on what he said in his speech and that his Resolution does not mean what it appears to mean in clear terms,—the case that he has really put forward is an advancement in the date of the Statutory Commission—this question has frequently been discussed. We discussed it in this House last September. The attitude of Government towards the proposition is well known. It cannot be better stated than in the words of the Secretary of State which must be in the

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recollection of some at least of the Members of this House. The Secretary of State, speaking on this point, said :

" We shall not be diverted from its high obligations by the tactics of restless impatience. The door of acceleration is not open to menace; still less will it be stormed by violence. But there never has been a moment since the Constitution was adopted in which the Government of India, acting in harmony with the Government at home, has not been vigilantly and attentively considering the spirit in which the present reforms have been received in India."

Now, I am not prepared to say that there has not been some change in the attitude in certain circles towards reforms. My Honourable friend opposite made a speech which differed fundamentally, if I may say so, from the speech that he made in September.

THE HONOURABLE MR. RAMADAS PANTULU: No, Sir.

THE HONOURABLE SIR ALEXANDER MUDDIMAN: Am I to understand that my Honourable friend has not moved an inch since last September?

THE HONOURABLE MR. RAMADAS PANTULU: I have not.

THE HONOURABLE SIR ALEXANDER MUDDIMAN: I have been supplied with the answer I require to give to my Honourable friend Mr. Sethna. We are told that there has been no change. The Honourable Mr. Sethna said that there has been great change. But speaking on behalf of that Party which at any rate is the most numerous in one House of this Legislature and is well represented even in this House, he said that there had been a change of heart, that they are co-operating. My Honourable friend, speaking with perhaps more authority than even the Honourable Mr. Sethna, says that it is not the case. Sir, it is no part of my brief to overstate my case. I am prepared, in spite of my Honourable friend's protest, to admit that there has been some change. I have seen some weakening, shall I say in the cement that holds together those who hold views which I understand my Honourable friend (the Honourable Mr. Ramadas Pantulu) holds. I have seen a distinct weakening. But, Sir, that does not really greatly alter the case. It is true, and I admit it, that the general attitude in the country has improved. It is true that in certain places Bills which might have been rejected have been considered on their merits and passed. I admit all that. I must also remember however that in other places there has been no such change, that in two important provinces in India now, my own Province and the Central Provinces, the reforms are not working. I do not agree with the arguments that have been put forward that they are not working in other provinces. They are working in other provinces and it proves that with goodwill those reforms can be worked. As has been said you have not come to us and said " You have not given us enough; we will prove by the use of that which you have given us our use for more ". That is not my Honourable friend's argument. His argument is " We will have nothing whatever to do with the reforms! " That at any rate is the argument of his party. He tells me that it was not. I again wait for confirmation.

Then, Sir, since last September after the debates in the two Houses the Government of India have been most carefully considering the position. They have considered the debates in both Chambers. They have watched

what has been going on. They have observed, it was a matter that was thrust on their attention, the resolutions which have been referred to which were passed at Cawnpore. I am told, I think by one speaker, that those resolutions were not in the nature of a threat; they were the hand outstretched. Sir, I am always willing to put a favourable construction on any statement that may be made; but admitting the hand outstretched, I ask the House to say, was it the hand of friendship? I fear not. The Government of India have considered whether since the debates took place last September there has been anything which would justify them in modifying the provisional conclusion which they then laid before the Legislature on those occasions. They have done so with an anxious and eager desire to see the position from all points of view. They put themselves in the position of those who would desire to put the case in the most favourable light. They are unable to come to any other conclusion; they must adhere to the position which they then adopted. And what is that position? It is this. It has been brought before this House in words which must have made the greatest impression on those who heard them, and if the House will permit me to take up their time for a few seconds I will repeat them again. No less a person than the head of the Government of India in addressing this Council made the following observations:

"In the first place by the evidence of a spirit of this character an earlier appointment of the Statutory Commission might be secured. I understand that this is the aspiration of all in India whose avowed desire is to attain political progress by constitutional means. Not less important is the other consideration, that by this spirit alone a better political atmosphere would come into existence and prevail at the time the Commission commenced its inquiry \* \* \* It is thus made clear that proof of genuine goodwill in the direction of working the constitution to the best advantage will be regarded by the British Parliament as an important factor for their guidance in determining the course to be pursued in the immediate future. If this view is correct, and I can scarcely conceive the possibility of contradiction, and as the future stages of advance must be decided by the British Parliament, would it not benefit India's political progress to provide plain and unambiguous evidence of this goodwill."

Now those are considered words, well weighed words and they are words which cannot be repeated too often to this House. They are not spoken in anything but a spirit of goodwill and with a genuine desire to see India advance in the course which it has so greatly at heart. My Honourable friend will probably tell me that there have been unambiguous expressions of goodwill. I do not think he really feels that. I do not think after having heard what was said in this House he could expect me to believe it. I do not deny that the atmosphere has improved. I hope the atmosphere will improve and when the atmosphere does improve then the condition that is laid down will be on the road to fulfilment and India may be nearer to that which she so much desires. But it is not by referring to existing institutions as camouflage; it is not by arguments of that kind that reasonable men are convinced. It is not true to say that the existing constitutional institutions in India are camouflage. They give power; it may not be such power as you desire or to the extent which you desire, but they give power and the proof that they give power is the awakening of the consciousness of power in the various communities. Much of the trouble that has been experienced in the last two years is nothing unusual, nothing to be disappointed at in one sense; it is that at last the communities have felt that they are in touch with realities; it is that these painful years of development have been useful to India in

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that they have brought India to know that the future is not to be determined by a stroke of the pen, that you cannot force people to work constitutions, that you may grant constitutions but unless you can work constitutions you are no further forward. The peoples of India are beginning to recognise the fact that it is by facing realities that we shall solve those problems which so urgently call for solution; it is not by a conspiracy of silence, it is not by hiding, by putting away in a corner, those questions which are and must be the vital questions to be decided, that advance will be made. It is said—my Honourable friend said it no doubt not too seriously—it is said that we have the Swaraj Party on the brain. Sir, I do not recognise any party. I recognise that there are influences in this country which we have to consider. I do not think we have them on the brain; they were at one time very present in the body; there still are a large number of them in the Legislatures of this country, and, as it must be in all important bodies of men, perhaps there are right wings and left wings, but still they are a very present and important factor in India; and my Honourable friend when he speaks in their name would do well I think to ascertain that he has authority to speak in their name. I must confess that when I listened to the speeches I found that on that point he needs no further refutation than the refutation that has come from those Benches themselves.

Sir, I have detained the House at considerable length. I have endeavoured to bring forward matters for your consideration which I think it is essential that you should consider. I trust I have given no inconsiderate or hasty reply to the Resolution on the paper. I have shown that as far as Government are concerned we stand exactly where we did in this respect. We have done and are still prepared to do what we said we will do; but it is useless to come and put forward a Resolution which in effect is entirely contrary to anything that has ever been put forward as the possible result of a Royal Commission. You will prejudice the issue if you ask us to accept a Resolution of this kind and it is quite impossible for me on behalf of Government to do so, and I trust the House will take the same view.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I rise to support the Resolution so ably moved by my Honourable friend Mr. Sethna. We have seen that Dyarchy has everywhere failed; and it is natural it should have failed. Functions of Government cannot be separated. All departments are intimately connected with one another. It is impossible to shut them in water-tight compartments like those of Reserved Departments and Transferred Departments. The only solution is unitary system of Government. The Government must make up their mind to make the representatives of the people in the Legislative bodies fully controlling authorities in all departments of Government excepting military defence and political and foreign relations with protected Princes and foreign powers.

It may be said on the other side, that the Preamble to the Government of India Act of 1919 lays down, that further advance in self-governing powers will depend on the amount of co-operation received from the people in working the reforms. Sir, we all know, and the Government also admit it, that in the first Legislative Assembly and in the first Council of State, the Government received full co-operation, from the representatives

of the people. In the second Legislative Assembly too, Sir, some of the most important measures moved by Government have been supported by the Members of the Assembly. They supported the scheme for the separation of Railway Budget from the General Budget. They supported the proposal of Government in connection with the iron and steel industry. Ordinarily, Sir, the Government received co-operation from the Assembly; but even most of the Swarajists have adopted responsive co-operation and are veering round to co-operation. But I would like to ask, which Legislature in the world does not at times adopt obstructive methods? Even the Mother of Parliaments, the British House of Commons, does at times adopt obstructive methods against the ministry in power. The representatives of the Indian people in the Legislative Assembly, Sir, have conducted themselves in a responsible manner. They have not in practice followed a policy of continuous and constant obstruction. Sir, I hold that we have satisfied the condition regarding co-operation in the Preamble, and I am sure, any Royal Commission that may be appointed will give its verdict in our favour.

Members occupying the Official Benches may tell us that India is not yet fit to defend herself; and that self-government without ability to defend means nothing. I would like to ask, Sir, whether this condition was imposed on the other self-governing Dominions before self-government was granted to them? Was Australia fit to defend herself against Japan or any other great power when self-government was granted to her? Was Canada fit to defend herself against the United States of America, or any other power, when dominion status was granted to her? No, Sir, this argument does not hold water. The inclusion of the Dominions within the British Empire is a source of great strength and advantage to England. The ever-expanding population of England finds a home in these Colonies without being obliged to go out of the Empire. Similarly, the continuance of India within the British Empire is a source of great strength and advantage to England. In fact the British Empire without India is no Empire. A very large number of Englishmen find employment in India. England finds in India the greatest market for her goods. It is undeniable that England derives immense material advantages by possessing India within her Empire. For her own sake, therefore, it is England's duty to defend India against foreign aggression, just as it is her duty to defend the other self-governing Dominions. But, Sir, there is another aspect of the question also. Indians do not shirk the responsibility of defending themselves. On the other hand they have been crying hoarse themselves for a number of years past to have greater opportunities for military service. We have been asking for the expansion of our territorial forces, but we have received a very meagre response from Government. We have been asking for the extension of recruiting operations for the Indian Army to all parts of the country, but they have so far confined their activities in this matter to only one or two provinces. The restrictions imposed by the Arms Act have unmanned the entire Indian population. Does it, under such circumstances, lie in the mouth of the Government to say that India cannot get self-government, because she is not fit to defend herself? We may well ask, who has rendered us unfit for this work?

Our friends on the opposite side may say that we have not yet defined what Swaraj exactly means. They may say we have not yet indicated what kind of constitutional government we want. Sir, we have given

[Lala Ram Saran Das.]

the answer to that question on the 8th of September, 1925. In the Simla Session of the Central Legislature, the Legislative Assembly formulated the Indian demands. These demands have been confirmed by the Congress as well as the Liberal Federation in Calcutta. The details of this scheme can be worked out by a Royal Commission or any other body appointed by Government. All political parties, Sir, are now agreed on what should be the further stage in the constitutional reforms in India.

It may be urged that the masses in India are not yet politically awakened, and that they cannot as yet be trusted with votes. It may be said that India is as yet very backward in education, and that the Indian masses cannot as yet intelligently exercise the franchise. In this connection, Sir, I would like to ask, what was the condition of the English educationally at the time of the Reforms Act of 1832, or even at the time of the Reforms Act of 1884 and 1885? In 1832, Sir, the English people were very backward in education, and yet the people were trusted with votes.

We are sometimes told, Sir, the Hindu-Muhammadan differences, and the Brahmin and non-Brahmin differences stand in the way of the successful working of democratic institutions. But, Sir, I must frankly point out that the acceptance by Government of a policy of having communal representation in all spheres of Governmental activities is responsible for all this tension. Instead of confining it to legislative bodies, and even that temporarily, the Government are now extending communal representation to local self-governing bodies, to the services, to the admission of students into schools and colleges, in fact everywhere. The extension of communal representation is clearly responsible for all this present communal tension. It is in the hands of the Government to remove this communal tension.

We were told the other day by a very high authority that the present political atmosphere in England is not as yet favourable to the appointment of a Royal Commission. I do not know, Sir, how political atmospheres in England can be improved. What I do know, Sir, is that India wants England to do her justice. India is of very great material advantage to England. It is England's interest to see that India does not remain a discontented and dissatisfied member of the commonwealth of British nations. A contented India within the British Empire would be a source of great strength to England. The demands of India are reasonable, and I should think, Sir, that England should give her responsible government. India wants to remain within the British Empire. She has learnt a good deal from England. India is a pupil of England, and by being within the Empire India like other self-governing Dominions feels a great sense of security. It is to the mutual advantage of both England and India to be indissolubly bound in a tie of everlasting friendship; and I hope, Sir, England will not refuse to meet the reasonable and just demands of India.

The Reforms Commission is to come sooner or later, not later than 1929—why not have it now? Be generous and you will secure the goodwill of not only this House, but of the Assembly as well and of Liberals, Independents, and Swarajists in India. Generosity will breed generosity and the result will be peace, contentment, and happiness all over India.

With these remarks I support the Resolution which my Honourable friend Mr. Sethna has so ably and admirably moved in this House.

THE HONOURABLE SIR BIJAY CHAND MAHTAB, MAHARAJADHIRAJA BAHADUR OF BURDWAN (Bengal: Nominated Non-Official): Mr. President, when the leaders of all parties in a country press for the raising of that land to the level of the nations of the world and show a haste, even an unpardonable haste, for liberation and liberty the position is full of pathos. It is undeniable that whatever the reasons may be the present reforms as well as the present constitution do not satisfy Political India. But may I ask those who ask for a Commission, this? Does the remedy lie in simply appointing a Commission or some other agency to inquire? I hope that both parties here, those on behalf of Government as well as those who are advocating this Commission, will forgive me if for a moment I try to appear as an amateur surgeon and try to dissect things. I should like to put some direct questions. Are the British Government prepared to leave India? If not, do they think that in a land inhabited by people alien to them dominion status like Canada or Australia, is possible? If not, what is the alternative shape in which self-government in India, or to use the nomenclature responsible government, could be realized?

The forces in India that are making themselves more and more visible every day may be classified for my purpose into four groups. First of all, we will have to put the anarchists and revolutionaries. Then we shall have to put the extreme wing of the Swarajists, i.e., the militant Swarajists to which I take it the Sethji from the Central Provinces belongs. Then we shall have to bring in the Independents and Nationalists, and lastly those who are still considered as the Constitutionalists or Moderates. The last category is for the moment very much in the minority, and in fact, at times I am unable to find a Moderate in some quarters. The first two, it is no good denying, are tired of British rule in India, and would probably prefer Bolshevism, Brown Rule, Revolution, Yellow Rule anything except British Rule. That being the situation, the British Parliament has to be asked to make up its mind definitely as to what is to be the future government in India. But one thing must not be forgotten that in all future advances the Government in this country as well as the Government in England have got to consider those vested interests which have hitherto believed in them, i.e., British Rule. If they do not and if they still wish to hold India, may I bring a parallel and I trust I will be pardoned for the parallel. Let us imagine ourselves for a moment in the Appian way of Rome. Let us imagine St. Peter and his little group of Christian followers about to leave Rome for the persecutions. Let us then imagine the shadow of Jesus Christ appearing and St. Peter taken aback exclaiming "*Domine quo vadis?*" Let not the condition come to such a pass in India when the British Government, the British element is forced to say to those vested interests, "Where goest thou?" because they can turn round and say with justification, "Where goest thou?" It is all right for one Sethji to be so softhearted as to become a ewe lamb to be shorn by his Swarajist friends, but there are others who would not be willing to be fleeced so easily. There is also that India which counts, that India of which His Highness the Maharaja of Baroda reminded us at a Banquet held not very long ago at Baroda. For all these reasons the future advance is neither so easy nor can one so light-heartedly ask for responsible government to be given to-morrow, immediately at once.



[Sir Bijay Chand Mahtab.]

Now, let me come to the question of the atmosphere. To my great delight I have had the honour and privilege to hear from two Members of the Central Government two of the best and clearest pronouncements that I have had the privilege to hear for a long time. Yesterday the Honourable Mr. S. R. Das, the Law Member, made an excellent speech defining the position of the constitution of the Government of India. To-day my Honourable friend, and an old friend too, the Home Member has told us in unmistakeable language what the position is. And I congratulate him, and through him the Government of India, because what we do want in India is this firmness and not the rumour and sometimes more than a rumour that goes round "that those that hammer most get the most." A friend who is now holding a very responsible position in the Punjab Government once told me a story, and I think there is something in it. To an old military friend of his he had complained that the class or community to which he belonged did not always get the attention it deserved. The military officer turned round and said: "My dear fellow, you do not hammer half enough like your political friend. The Englishman only gives in when he is hammered". That is the position, Sir, and if by hammering people get something, they will go on doing so and there will be many more Sethjis who will join the Swaraj Party. But what I wish to submit in all seriousness to the Government of India is this one fact, that whilst a Royal Commission as suggested by the Honourable Mr. Sethna may not be possible, and I do not think it is constitutionally possible, if the atmosphere does not change, then before very long, I think the Government of India will have seriously to consider whether oligarchy will ever be a success in India, whether or not bureaucracy must continue, whether it be more tinted and more coloured than it is now. Further, if the obstruction continues, that obstruction itself might act in a very different way to the larger majority of Indians who really do want to see India raised to the level of the nations of the world, the British Parliament might turn round and turn round very rightly and say: "We gave you partial responsibility and we gave you responsibility, but you would not have it, therefore all that we gave has got to be changed until you prove that you are fit, until every party shows that it is fit to shoulder those responsibilities." I think, put in a nutshell, that is the position which the Government of India themselves put forward. I therefore appeal in all earnestness to all parties in India, being a non-party man myself, that the best way to get a further instalment of reforms is to work those we have now wholeheartedly and not to bring forward Resolutions of this nature at every Session.

Sir, I have only one more word to say, because by a strange coincidence of course, you the Honourable President, Sir, cannot join us in the debate, but by a strange coincidence in this Chamber to-day, there are present four out of the five signatories to the Majority Report of the Reforms Inquiry Committee, the Honourable Sir Arthur Froom, the Honourable Sir Alexander Muddiman, the Honourable the President and myself, and I may remind those who were my colleagues then that in a note at the end of the Majority Report, I doubted the wisdom of any Commission just now, and I still doubt it. I further said that we should not wait for a Commission and delay the examination of the possibilities of inquiring in greater detail into the question of provincial autonomy. I am glad that the Government of India took up that suggestion, and the valuable

report which Sir Frederick Whyte has submitted is indeed a very useful document, although it has been belittled in some quarters. I should like to draw the attention of those who somewhat light-heartedly use the words "provincial autonomy" to study what Sir Frederick Whyte has said on the subject. For all these reasons, Sir, I would ask the Honourable Mr. Sethna to withdraw his Resolution.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-Official): Sir, hitherto the objection to a Commission was based on three grounds. One was that under the existing law it was possible to make progress and therefore we should not be in a hurry to make any change. The next ground was that the merits and capabilities of the constituencies had got to be properly tested, and Government wanted to test them before making an advance. The third ground was that the constitutional machinery as it is functioning in India requires to be tested, and until it is tested it is not advisable to make an advance. To all these grounds, Sir, two more grounds have been added to-day, one by the Honourable the Home Member for whom, as everybody knows, I have very very great respect, and with whom I am on terms of even private friendship, and that ground is this. The Commission spoken of in the Resolution by the Honourable Mr. Sethna is not the same as was mentioned in the House of Commons the same evening this Act was passed. Sir, when this Act was passed, or when it was on the anvil—I forget now exactly the stage—it was, I think, Mr. Ben Spoor who put a question and asked whether for the next ten years no attempt would be made at all to advance the cause of India. Then Mr. Montagu pointed out that he never said that nothing would be done until after 1929, but an inquiry might come before 1929. Well, the matter remained there, and we came to India. I quite admit that even in the very first Session the Assembly passed a Resolution asking for full responsible government. Then I made an attempt to explain it by saying that India had been starving for a long time and has been asking for more reforms, and since a small step had been taken, they naturally ask for more. Now, what happens in famines? People who are famished or hungry for days and days together do not get a good meal all at once, because it is not good for them. The doctor says to them: "Take a little *ronjee*". Then the people ask for more, and the doctor says that he will not give it. Then again the famished people cry out for more and more, and the officer on special duty or the doctor who looks after these famished people gives them little by little. Similarly, such a thing happens here. In the First Session of both the Assembly and the Council of State,—my Honourable friend behind me (the Honourable Nawab Sir Umar Hayat Khan) will bear me out—it was said "Don't attend to what these people say because they have been famished for a long time, they will go on asking for more and more".

Because they have been famished in the matter of reforms for a long time they will go on asking for more. But that does not matter. You need not put it as anything against them. I gave the instance of Sir Walter Scott. He was a poet and a novelist. He had a horse given to him for the first time at the age of 18. He was fond of the days of chivalry and gallantry. He thought that he had himself become a knight. He got on that horse and made it run faster than it could. I told you that story. It is because we were famished for a long time. During all the 20 years of the administration not a single reform was given. And now

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that we are given it in very little doses, we naturally ask for more. I said that this does not matter. Don't take this seriously. My friend replied that we are not legislating for children, therefore we need not talk about it. That, however, is not the point. The point is that what they said in the First Session either in this House or in the other House need not be taken very seriously. Of these four objections which I have mentioned three already were urged later on. This is not a new thing. That is the case with everything in this world. First we distrust a thing, and generally ridicule it. When it is urged with a little more strength, we come to argue about it and ultimately we come to an agreement. That is the process in which the world goes on. We live and learn. In the very First Session of the Assembly and the Council they talked of having Swaraj. I laughed at that. Others laughed at that and I joined with them in their laugh. Later on, argument went on, and the argument reduced itself to these three objections that I have mentioned. The fourth ground taken to-day by the Honourable the Home Member is that the Royal Commission that the Honourable Mover has put down in his Resolution is not the same Commission that was spoken of on the night when the Government of India Act was passed. He thinks that this Commission is something different. I myself think that the two are the same. What the Honourable Mr. Sethna means is that this Royal Commission may be appointed any time before 1929. The date was fixed with the idea that it should not be delayed beyond that date. My Honourable friend Mr. Sethna says: "Kindly have that inquiry made now." That inquiry, if granted, will deal with all the objections that have been taken here and before.

The first objection taken is that it is possible to make progress under the Act as it stands. I quite agree that it is possible, but you do not wear a coat threadbare. You do not wear it until it becomes thoroughly unserviceable. You do not throw it away only when it becomes absolutely inconvenient to wear. So, I do not see why all the possibilities of the existing Act should be exhausted before a further step is taken. Such a proposition is unthinkable either in law or in practice. If a coat is fairly worn out and shows signs of being old, we throw it away and have a new coat made. Similarly, there are possibilities of a further advance in the present Act, but it has grown old to a great extent. Six years is not a small period now. In olden days, 20 years was a much smaller period than six years now. We run faster nowadays with all this new machinery, motor cars, aeroplanes and balloons. 5 or 6 years now means what formerly 20 or 25 years meant. We have had experience for 5 years.

Then they say that the capabilities of the electorate have to be tested. I do not know of any test that can be applied to the electorate. We have seen in England electorates which threw overboard men like the great Mr. Gladstone in those days. In the present days they threw Mr. Asquith (now Lord Oxford) overboard. So electorates are not to be relied on. In all countries they are fickle. I do not know of any test being prescribed for them. If I am ignorant, I hope I shall be corrected. But there is no test laid down, so far as I know, how to examine and pass an electorate.

The third argument was that the capabilities of the machinery have to be tested. This always frightens me. I think the Honourable Sir Alexander Muddiman will remember that when machinery was talked of, I said that I was tremendously afraid of machinery in the 20th century, because.

in the 20th century, to eat one ounce of food, you require 20 tons of furniture. You want a table and all the furniture and all the crockery. Before you eat one egg, you want 20 tables, 30 spoons and 15 forks. Machinery is a terrifying thing. In the 20th century, it has multiplied so tremendously that whenever any one speaks of machinery I get terrified, and run away from the place. You know the history of the present income-tax. It was originally introduced when I came to the Council to improve the machinery for collecting it. What is it now? It has become perhaps the principal item of income in our Empire and it exceeds the land revenue. So, this improving of the machinery leads to other things. So I do not quite understand this. The machinery is the electorate. The District Officers and Commissioners are appointed Returning Officers. What more machinery do you want? The voters are there. They are taken care of. They are led to the Returning Officer. What further machinery you require, I do not know

The fourth objection that is taken is that this is not the same Commission that was talked of in 1919, as likely to come in 1929. I humbly submit that it is. My friend the Honourable the Home Member will ask: "What is the meaning of formulating a scheme for responsible government?" This is what is called the *fala sruti*. In Indian books, supposing it is a prayer, at the end you say: "Whoever says this prayer will go to Heaven; a man who is unmarried and wants to marry will get a good wife; a man who has not got sons will get sons." This is called the *fala sruti*. You are told that you would get all these things if you read the prayer. In the same way, the Honourable Mr. Sethna has given the *fala sruti* part of the Resolution. He says that we want an inquiry. We want it a little earlier than 1929. Why should it be advanced in date? Because it will lead to responsible government and self-government. That clause is not the operative clause of the Resolution. It is merely the *fala sruti*, something added merely to induce you to read it and to follow it. That is not the operative clause. That Commission is the Royal Commission that has been spoken of in Parliament and out of Parliament. The other day His Excellency the Viceroy kindly said what the Honourable the Home Member has read out. I intended to read it myself and I have got it marked. He stole a march over me and read it first. The Viceroy also has said that if we give co-operation, then the inquiry which is to be made by the Royal Commission will be hastened. I therefore thought that this was an auspicious time, a propitious time for putting forward this Resolution. One Member of the Swaraj Party, as the Honourable the Home Member himself pointed out, took the responsibility of speaking for the whole Party and got into a mess over it. Then he said they were co-operating. Another Member said that he had no faith in British Government, and that the Swarajists were not co-operating at all. I depend upon this circumstance that in the beginning they talked very wildly. Now, greater wisdom is prevailing and out of the non-co-operation party arose the Swaraj Party, and out of the Swaraj Party I am very glad to see that there is a party of responsive co-operators coming to the front. Hitherto I had the monopoly of my views. I was a corporation sole. I was the only one who was for responsive co-operation, but now, I am pleased very much that many more people are coming along, and I pray to God that the responsive co-operators will multiply and thereby hasten the regeneration of India and lead us to self-government or responsible government as we

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call it. So far then for the objections taken by the Honourable the Home Member.

The Honourable the Maharaja of Burdwan put forward a new argument which unfortunately I could not understand. If I am mistaken, I beg to be corrected. His idea appears to be that you should attempt no advance unless the British people are willing to go away from India bag and baggage. Unless this can be done he says you need not think of any advance at all. His further argument appears to be you have got to wait and wait so long . . . . .

THE HONOURABLE SIR BIJAY CHAND MAHTAB. MAHARAJADHITAJA BAHADUR OF BURDWAN: May I offer an explanation, Sir. I did not say anything of the sort. I asked a question of the Government, whether the British wanted to leave India. There is no question of waiting until the British have left, bag and baggage, as my Honourable friend puts it.

THE HONOURABLE MR. G. S. KHAPARDE: The putting of that question means that you need not consider this proposition until you are prepared to leave India, as I interpret it. If it is wrong it may be criticised, but the idea underlying the putting of that question, "Are you prepared to make India over to an oligarchy, are you prepared to put up with all kinds of injustice?"—all that is that the Honourable Mr. Sethna has put something so terrible before us that unless you are prepared to do that you need not think of it.

THE HONOURABLE SIR BIJAY CHAND MAHTAB. MAHARAJADHIRAJA BAHADUR OF BURDWAN: Sir, may I rise again? I think the question was this. I was enumerating the difficulties of making a jump towards responsible government immediately, and as one of those difficulties I asked: Was the British Government prepared to leave India at once?

THE HONOURABLE MR. G. S. KHAPARDE: Well, to that the reply is that it is preparation for leaving the country.

THE HONOURABLE THE PRESIDENT: Order, order! The Honourable Member has exhausted his time and I would advise him to get on with his own speech and leave other Honourable Members' speeches alone.

THE HONOURABLE MR. G. S. KHAPARDE: My speech, Sir, is coming near its end. I was dealing with the objections that have been urged against this Resolution and I was dealing with the last objection that was taken by the Honourable the Maharaja of Burdwan, and it was in the course of that that our conversation arose for which I am very sorry. I still maintain that these questions were intended to make out that unless the British Government were prepared to walk out of India they need not think of this proposition.

THE HONOURABLE SIR BIJAY CHAND MAHTAB. MAHARAJADHIRAJA BAHADUR OF BURDWAN: It was not meant to convey that, it was meant to tell the British Government if they do not propose to walk out of India that is all the more reason that the future advances have got to be most carefully considered.

THE HONOURABLE MR. G. S. KHAPARDE: That is what my own argument was. I do not say they will give Swaraj to-day. I do not maintain that proposition. I agree with the Honourable the Maharaja of Burdwan,

or rather the Maharaja agrees with me, and our opinion is that this inquiry should be undertaken, should be gone into, and if it is reasonable by all means give us a further advance; if it is not reasonable then there it will end, you need not give it. So I have endeavoured as well as I can to meet all these objections that have been taken to this Resolution. I maintain that it is a proposition which if assented to and carried out here will do a great deal of good at the present time in India. It will show that something is being done, that something is being attempted, and those attempts that are being made outside to tell people that no pledges will be observed and nothing will be done and you will all be led into traps—all those objections will disappear. Whereas if you did nothing, simply sat with folded hands, you would give an additional weapon into the hands of those people whose business it is to misrepresent and to create some kind of misunderstanding between the Government and the people. With these few words I heartily support the proposition suggested by my friend the Honourable Mr. Sethna.

THE HONOURABLE SAIYID ALAY NABI (United Provinces West: Muhammadan): Sir, I listened with a great deal of care and attention to the Honourable the Home Member. I am sorry, however, that I find myself unable to agree with him either in the interpretation which he has put upon the Resolution as it has been placed before the Council or in the reasoning he has employed in opposing the Resolution. In any case I should expect that a Resolution like this has not to be objected to or approached simply on the ground that technically it offends against the provisions of some section or other. After all there is some difference between a court of law and a Council like this. Even a court of law if it finds that it is barred from hearing a certain suit or a certain claim only on technical grounds will be very reluctant indeed to throw it out on the basis of such objections, it very often finds a way out of it. Now in this case you find that reference has been made by the Honourable the Home Member to section 84A of the Government of India Act. It is said that the Government of India Act laid down in the body of that section the words—I will not read the whole of the section but only clause 2 and I will not read the whole of clause 2 but only those important words on which reliance has been placed. The section lays down that:

“the Commission shall report as to whether and to what extent it is desirable to establish the principle of responsible government, or to extend, modify, or restrict the degree of responsible government then existing therein.”

Those are the words. Now it cannot be denied, I think, that the principle of responsible government has not only been established, but there it is in practice and you will find, Sir, help in this direction from the Select Committee's Report on this where in paragraph 3 they say:

“In the declaration made by His Majesty on August 17th, 1920, there is enunciated the problem for which the Bill endeavours to provide a solution. It is designed as the first stage and a measure of progress towards responsible government.”

“Responsible government”—there it is. Now the question remains only of the extension, modification or restriction of the degree of responsible government. The word “extension”, of course, means that the extension may be in part or the extension may be in full. So if the Honourable the Mover of the Resolution says that he wants the establishment of responsible government, he is not far wrong. The Royal Commission may when it comes, Sir, after taking into consideration all the factors come to—

[Saiyid Alay Nabi.]

the conclusion that the principle of self-government that has been introduced in this country may be extended. It may come to the conclusion again that it may be extended to its fullest length. So my submission is that it is rather a narrow technical and restricted view to take of the Resolution that it seeks full responsible government. A Resolution like that in a Council like this has to be met on its merits. Now so far as the merits are concerned, you will find, Sir, that the Honourable the Home Member has referred to an extract from the speech of the Secretary of State where he used these words: "The door of acceleration is not open to menace". I am the last person to say that. I think nobody in this Council, not even the Swarajist Members even though they make heated and excited speeches, means to say that the door of acceleration is open to menace, and I do not think that that is the position of the country as a whole. There may be some wild talk about it here and there but that is not as a matter of fact the mind of the country as a whole. But when referring to this I may refer also to another extract from the speech of the Secretary of State for India which sums up the position of the Government where he said:

"Even assuming co-operation it was thought that a period of ten years would be required to afford the data for reliable conclusions and generalisations. But I do not consider and I wish to make clear my own view that it was not the intention of the Legislature to attempt to shackle any succeeding Government if a spirit of cheerful and loyal co-operation was generally exhibited on the one hand, or if, on the other, grave and glaring defects disclosed themselves."

Now these were the two conditions. The Secretary of State on behalf of Government said that there were two conditions by which the pace of progress can be accelerated: one condition is that glaring defects must be found in the constitution; and the other is that there must be cheerful and loyal co-operation on behalf of the people at large. These are the two conditions; and the meaning of this is that if these two conditions are found to exist, then the pace of progress can be accelerated. Now, Sir, it is a question of fact whether these two conditions exist or not, a question of fact which depends upon testimony. Now what is the testimony so far as the glaring defects are concerned? Five years after the working of the reforms scheme the Government constituted a Committee presided over by the Honourable the Home Member. That Committee nominated certain people to give evidence before it; they came and gave evidence. If I may say so, they were their own witnesses; but I do not want to take that narrow and technical view. They were true and honest men who had worked the reforms in a loyal and ungrudging spirit and who had tested material parts of the machinery. They were men who had whole-heartedly entered into the reforms scheme and they had pledged themselves to make it a success. They did their level best and tried to make it a success. But then what was their experience when they had worked the machinery or that part of the machinery? Their experience was that they could not possibly work that machinery. They said it was a failure. That was the general opinion about it. That was the opinion of these people who were concerned with it most intimately. That is the evidence of these people, the evidence of the Ministers who had worked it, the evidence of some of the Executive Councillors who had worked it. What more evidence do you want on that? Is it not a fact which is established by most unimpeachable evidence? What more do you want? What more evidence

can you find about the glaring defects of the machinery? That is this part of the case. When the evidence was over the Committee sat down to record its finding. What was the finding of the Committee? The finding was that that part of the machinery, namely, dyarchy, was neither a success nor a failure. That sort of finding of course is not ordinarily intelligible to the ordinary man. It must be a success or it must be a failure. The people who were most concerned with it said dyarchy was a failure; but the people who heard that evidence said it was neither a success nor a failure. The only conclusion that any impartial body of men can come to on that evidence is that it was a failure. That is one part of it.

The other part is about the cheerful and loyal co-operation, a sincere and genuine desire to take part in the reforms. Now, that is again a question of fact. I have heard to-day from the remarks of the Honourable the Home Member that there has been an absence of that sincere and loyal co-operation which he expected. It is a question of opinion more or less. But if people's intentions are to be judged by their conduct—and I do not know of any other test—then the evidence of conduct should be forthcoming and has to be relied on for the consideration of a case like this. What is the evidence before us, as to whether there has been co-operation or not? You started these Legislatures in 1921. The first Assembly came in and sat down and worked the reforms very well and to your entire satisfaction. You were quite happy with them; you applauded them and you went so far as the Honourable Mr. Sethna said in his speech that you recommended that the constitution may be reviewed or revised. You passed a Resolution in the Assembly to that effect and you were thoroughly happy and you had no complaint about non-co-operation. I remember of course having read the proceedings that your complaint was that the men who were outside were complaining about the conduct of the Government and that they were non-co-operating, and therefore the country as a whole was not co-operating. I do not want, Sir, to minimise the importance of the Swarajists or some of the Swarajist Members; they are very vociferous people no doubt. But the question is, if a certain section of the people remaining outside and cry and raise a protest against the actions of the Government, are you justified, is it fair, is it right, is it the correct attitude for you to adopt to condemn the whole country from one end to the other? That is a position that ought not to have been taken. After all this is a vast and stupendous country with teeming millions. You have a limited franchise; and you cannot expect people from one end of the country to the other, consisting of thousands of leaders, to be all of one mind, to be acting according to the pleasure of the Government, raising no voice of protest against the actions of the Government. If you judge the amount of co-operation by that test then I think you will have to wait till eternity. There is no shorter time for it. But if you judge of the conduct of the people when they come to you in the Legislatures and have been given some responsibility, that would be the right test of their conduct. There you see and watch how they are conducting themselves.

Now, Sir, the second Assembly came and sat. The Swarajists came in; they came in of course to work the constitution. It is all wild talk to say that they did not come to work the constitution but to destroy it. It is only talk and nothing else; they came in and took the oath to bear true allegiance to the King Emperor, and they came in under the ægis of the Government of India Act, 1919, to work the constitution as embodied in



[Saiyid Alay Nabi.]

that Act. They could not possibly take up any other attitude and they did not take up any other attitude. Of course they took advantage of the approved methods of opposition in the constitutional manner and they are expected to do that. If anybody were to complain about that sort of conduct, namely, opposition in the Legislatures, which are legislatures modelled on British institutions, then I think it is rather hard on those people. People working representative institutions, holding power in representative institutions, are expected at every moment of their life to defend themselves against opposition. That is the very essence of the constitution. That is the beauty of the constitution. They work under the fierce search light of public criticism, day in day out, and they ought to be prepared for it; they ought to be prepared for the opposition of every Bill and measure brought in by them; the opposition Benches are there for that purpose. If they are Government servants, not elected by the people to-day, and if to-morrow elected people come in their place, certainly they would be subjected to the same sort of criticism. That is the constitution. So to feel unhappy or to criticise want of co-operation on the ground that there has been strong opposition to all the Bills and motions and measures which are brought by the party in power, is, I think, wrong and of course goes against the fundamentals of the constitution. That, Sir, has been the history of the second legislature. Whether there has been real non-co-operation or not again depends upon the testimony that you have, upon the facts as they stand. You have people sitting in the Legislative Assembly, people who are thoroughly impartial; they have given their testimony on this point. I read the other day in the proceedings of the Assembly Sir Darcy Lindsay and Sir Basil Blackett speaking in high terms about the co-operation of the members in the Assembly and in the Committees. Well, Sir, not only that, but I think the best possible evidence on that point which could possibly be available would be that of Sir Frederick Whyte. He was the President for about five years. He watched the proceedings. He controlled the parties, he controlled the whole House. He entered into the hearts of the people and he had occasion to find out the motives of the people acting in the Assembly. What testimony did he give? He had that unique position which only a man in his position could have to be able to speak on this point. And what does he say? He says that there has been co-operation and that the people are entitled to more responsible powers. That is his verdict about it. It is a fact that so far as the Assembly is concerned there has been co-operation and it is based upon the most unimpeachable evidence, the most trustworthy evidence, evidence which cannot be assailed. What more do you want? Do you expect that the time should come when this country will from one end to the other cry 'there is co-operation and nothing but co-operation.' Can a state of things like that ever exist in any country in the world? Where self-governing institutions have been working for generations and centuries there are people who will always oppose the manner and method of administration, and you cannot expect that there should be one voice acclaiming your actions. These are the two tests that were put forward by the Secretary of State, and I claim and very strongly claim that these two tests have been fulfilled. If you go on talking of non-co-operation, as I said before, time will never come when you will have the cry of co-operation from one end of the country to another and to attain that stage you will have to wait till eternity. This

country like any other country can never be of one mind from one end to the other, except perhaps when there is war or there is some heavenly calamity when people must sink their differences.

There is one thing more which I wish to bring to the notice of the House. If there is any unanimity to-day on any topic in this country between all people, between all associations, between all bodies of people it is on this Resolution that the pace of progress should be accelerated. The All-India Muslim League is of that view. The Liberal Federation is of that view. Of course I do not know how far the talk of my friends the Swarajists about being the keepers of the conscience of the Indian nation is right, and how far the proceedings of the Indian National Congress are approved by the people at large, and the politically minded people; but I can very safely say this much and I do not exaggerate the statement at all when I say that the whole country from one end to the other is united on this question as it was never united before. With these few words I support the Resolution.

THE HONOURABLE SIR DINSHAW WACHA (Bombay: Nominated Non-Official): I will not detain the House to-day for more than ten minutes. I consider that on the whole the discussion has been going off the rails latterly. The question is a very simple one. We should confine ourselves within the four corners of the Act and find out how far the Resolution which my Honourable friend, Mr. Sethna, has brought forward is reasonable so far as the Act itself is concerned. I must first congratulate him on the very able way in which he put his own case, namely, that the Royal Commission could be brought forward a little earlier than it is put under the Act. But having said so much and having appreciated all that he said, and the method and manner, (the model manner in which he put the whole case before the House)—and also appreciated whatever fell from the Honourable the Home Member on this subject, I put this question to the House. Are we not going too fast? Are we going to have earlier this Commission, which is to examine the experience gained during the ten years from 1921 to 1931, before Parliament can be moved to consider how it may go further in the direction of the policy laid down by it in 1919? Are we going to have this Commission earlier than the date fixed by the Parliamentary Statute? We all know that from the very day the Act was passed there has been prevalent what you call discontent in some parts of the country and among some public bodies and individuals. But that was anticipated. It has always been so on the introduction of a new constitution. Whenever there is a reform, particularly of the constitution, what happens is this. While a vast majority wisely accept it a minority, more or less uniformly disaffected do not accept it. These consider that the constitution is not reformed because it is not reformed in the way *they* like it or in conformity with *their* views. We know as a matter of fact that long ago people agitated for a reform of the constitution in England. At that period they were not so educated as they are now; education then was in an elementary character. In 1832, when the first Reform Bill was passed, there was a good deal of agitation on the subject. The agitation was noisily and unprofitably carried on by the Chartists for some 16 years. And yet it was not till 1866 or 34 years later, that the second Reform Bill was passed by Parliament. Consider those 34 years and the five years that have passed here since the Act of 1919 came into operation. What are five years in the affairs of a nation? Time is a

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very important factor to test the real effect of a change. Who will venture to assert that they are adequate for a proper test? Consider what we have done in these five years. Practically nothing. I do not hesitate to say that for the first three years we have been only beginning to feel our way. After the first three years had passed and the Assembly was elected for a second time there was a great deal of agitation about adopting a policy of non-co-operation and later of a blind attempt at destruction of the Act. Violent wrangles were conspicuous instead of steadily working the Act in a reasonable way with a view to further progress. There was obstruction of a blind character leading to arrest which all sober-minded people, interested in the real progress and welfare of the country on constitutional lines, were very sorry to witness. That obstruction and arrest have not abated. They are still going on; and in the midst of such a deplorable impasse we are asked that the Royal Commission which under the Act should come in 1931, ought to be immediately appointed or considerably accelerated. I wish that Members who spoke in support of the proposal had taken pains to read, mark and digest the Preamble of the Act. I am afraid that during the last few years that the agitation is going on, those who have vociferated about it seem to have entirely forgotten the Preamble and given it complete go-by as it was non-existent. The Preamble is the real key to the right understanding of the whole Act. Parliament in its supreme wisdom, after long and mature consideration and after the Joint Parliamentary Committee had made its report on the subject, passed the Bill. This Preamble on which immense thought was bestowed is so clear and is so relevant for a clear understanding that, Sir, you will allow me to read some extracts:

"Where it is the declared policy of Parliament to provide for the increasing association of Indians in every branch of Indian administration, and for the gradual development of self-governing institutions, with a view to the progressive realisation of responsible government in British India."

etc., etc., and further:

"whereas progress in giving effect to this policy can only be achieved by successive stages."

and further:

"whereas the time and manner of each advance can be determined only by Parliament, upon whom responsibility lies for the welfare and advancement of the Indian peoples:

And whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom new opportunities of service will be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility, etc."

I beg Honourable Members to consider and weigh this extract. And I ask them how is responsible government to progress? In the first place, the Government have faithfully put this Act into operation as an experiment in the full spirit of the Preamble just referred to for the first ten years to see how it has worked. Parliament has already provided the machinery which is so elastic, that it is susceptible to many an improvement. The Act has to be worked for ten years, so that the British people and the framers of the Act may fairly satisfy themselves how it has worked during the period laid down and how far responsible government can be safely conceded. Now, at the present moment I admit there is no responsible

government in its true sense. The framers of the Act themselves were aware that it must be so in the experimental stage. That was the very reason why dyarchy was first introduced. It was so introduced deliberately and of purpose in order that the British Parliament wanted the people of this country to learn how responsible government should be worked and eventually made a reality. In other words, to test the preliminary experiment how people elected for the various provincial Councils should become Ministers and how Ministers should take part in the administration of Government in the matter of transferred subjects and so on, and then form their own conclusion how far dyarchy had succeeded to enable them to concede the first proper medium of self-government. That is the aim and object at present, till 1929. But unfortunately, in the very beginning a section of the elected cried out, even before they had fully carried out the experiment that dyarchy was a "failure", that it could not be worked. In fact, dyarchy has never yet got a full and fair chance to be worked impartially. Dyarchy has been prejudged without a full and fair trial and at once condemned without making even the first honest attempt to work it in the spirit Parliament intended it should be worked. Now, Sir, Parliament sat for many months to bring this matter to a satisfactory conclusion. They appointed a Joint Parliamentary Committee, consisting of experienced Members of both Houses of Parliament, I mean Members of the House of Commons and the House of Lords. This Committee carefully went into the question. They attentively heard the several deputations of the Indian people who had gone there to submit their diverse suggestions. And it was after everything has been weighed and decided and put down in clear and unambiguous language in the Preamble that the final report was submitted to Parliament and Parliament after further mature discussion and consideration passed the Act. You now say that a Royal Commission should be appointed at once. Why should you do it? I ask my colleagues here assembled to say if the material which Parliament so sincerely wished to collect for purposes of test is there. If a Commission comes out now, it will have in the first instance to see if they have before them all the necessary material, that is, the accumulated experience of the first ten years on which to proceed, deliberate and arrive at their final recommendations? Have you been able to put before them that experience? We have I greatly fear not attempted to work the Government of India Act in the spirit Parliament earnestly wished. As I said, in the first three years, it was not very seriously tried, and in the last two years, there has been a hue and cry, ill-founded in my opinion raised in the country and a section of the Central Legislature has been agitating for a Royal Commission before the date fixed in the Act, and that without giving dyarchy that full and fair chance which was necessary as a condition precedent to further action. But nothing has been actually done so far to work the Act in a loyal and earnest spirit. Now, what is responsible government? You freely talk of responsible government, but what is it? Responsible government implies the existence of a strong element in the Legislature—a body of experienced persons who can tolerably well carry on the government of the country, and if such persons fail, whether other men of the Legislature could take their place and do so. Can we conscientiously say from our experience that there are persons enough in the Central Legislature here or in the other place, who can carry on responsible government in the way that the British administration has gone on for the last so many years? We have no such I say? Where are those persons who will carry on the government?

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I admit there are exceptions. Those are not enough. Then what is the use of talking about responsible government when we have hardly any such and when our experience is yet to be fully and fairly acquired. If we persist in going the wrong way we shall never be qualified. Therefore, before you get yourself really qualified, it is premature to agitate outside and inside the Legislature and bring forward Resolutions of this character demanding a Royal Commission or any other agency earlier than 1929. I fervently appeal to every Member of this Council to think seriously over the question without being carried away by the shibboleths and catchwords of the theatre and the market place. If those who cry aloud will calmly and dispassionately consider the question for themselves, if they think over the matter imperially, they will see that the Act provides fully what ought to be done. They should wait yet and meanwhile educate themselves and gain the experience wanted before demanding the Commission. In the matter of changing the constitution, we ought to wait and see how far we have ourselves proved fit and worthy; we have to show to the Government and Parliament that we are fit to receive a further instalment of reforms in the right direction. It is only after working the Act for the stipulated period in a manner to satisfy Parliament we should go forward and demand further reforms. But what have we done here? Can we conscientiously declare that we have worked the Act in a proper and impartial spirit? On the other hand, a hue and cry has been irrationally raised all over the country that the Act is unworkable. Perhaps some leaders manufacture opinions on their own workshop and a slavish press under their instructions and other so-called public bodies cry out in the name of "the people" and "the country." They cry out in the name of the people and the country and shout "the country, the people." But what is the country, who are the people, I should like to know? The majority of the people of this country, say nearly 80 per cent., are illiterate, they are steeped in ignorance, are credulous and know nothing about the constitution or reforms. They look to the educated classes for their guidance in all such matters. But what have the educated classes who are really a microscopic minority done? They have hardly worked the Act in its spirit and have condemned dyarchy outright and the Reforms from the very beginning, without even showing a desire honestly to try them in a proper and right spirit. They say that the constitution should be changed, that the Government should be handed over to the people, that Government have not kept their promises and so on. I am, Sir, very indignant with that section of my own countrymen who ought to know better and express gratitude to the generous British Government for all the inestimable boons that they have conferred on the people of this country. I repeat, I am very indignant with them, because they have miserably failed to appreciate the numerous blessings which British rule has conferred on them. Instead of gratefully accepting the reforms in the spirit in which they are bestowed, instead of working the Act in a right spirit and trying the experiment in the way it ought to be tried, they condemn the reforms and even question the motives of Government and create unnecessary unrest in the country. Sir, I strongly deprecate this action of a section of my countrymen. That is not the attitude for a practical people to adopt. We want to build up a national spirit. But is that the way to build it? I say no. A nation can never be built in that way. Everything

must take time. We must go forward step by step. You cannot jump up to the top of a hill all at once, you can only climb up step by step. Therefore, we must proceed slowly, gradually and cautiously. That is the proper way to reset the scale of nations. Now, what are we doing here? There is a superficial cry raised by some one that the reforms are unworkable, that they will do no good to the country. One man takes up the cry and everybody sheeplike follows it. That is not the way. Now, what does this Resolution ask for? It says that a Royal Commission should be appointed forthwith to inquire and investigate into the question of reforms. Well, we all want a Royal Commission. But has the time come for it yet? Have we prepared the ground and the necessary material to be placed before it? Has dyarchy been worked for the last five years in the spirit so well contemplated by the framers of the Act? Have we got anything substantial to show, assuming that a Royal Commission comes out now? We have done next to nothing, to my mind, to justify our demanding a Royal Commission at present. Facts will have to be put before a Royal Commission, so that they may see how far we have worked the Act, how much experience we have gained, and what real, well-founded defects have to be remedied. I may say that the same phenomenon now witnessed occurred during Lord Ripon's administration in 1882 when he first courageously introduced local self-government in this country. At that time there was not enough material, nor was there a proper machinery, but it was introduced slowly in different places and then was gradually extended. But in the present case there is the full machinery ready provided. The seed has been sown. It has to germinate, it needs some time to grow. It takes time. But without waiting for a time, and without looking after it and watering it properly, you want a tree to spring up all at once. Is that the way that a gardener takes care to nurse a plant and bring it up? He sows the seed, he waters it daily and looks after it tenderly, and then it germinates and steadily grows up. The same process has to be adopted for the new constitution. The seed has been sown by the British Government, but you the gardeners would not allow it to germinate; you want to see the tree rise to its full growth all at once. It is indeed monstrous to expect anything of that kind. It is so unnatural. I do not consider that a nation which aspires to be practical can go on in this way. You have to work the Act in a practical way. Now, I would ask my Honourable friend Mr. Sethna, who is endowed with good and sound common sense, I would also ask all my other friends in this House, are they going to advance? They must bear in mind that as practical politicians that this colossal work of reforms cannot be carried on, whether in this House or in the other, by sudden jerks and jumps. No. It can only be worked step by step. We should prove by our exertions, by our independence and by our practical common sense that we are worthy of further advance and that we are prepared to take responsible government. Therefore, I would appeal to my Honourable friend Mr. Sethna to withdraw this Resolution and wait for another three years and accumulate all the proofs that we are duly prepared and qualified. Parliament by itself will then appoint a Statutory Commission. When that Commission comes out, you can put all the evidence, all the materials, before it, to enable it to arrive at a satisfactory conclusion. But this is not the time to ask for a Royal Commission. I will not further enlarge on this subject and take up the time of the House, but I do again appeal with all the earnestness at my command to all my friends here—I am not speaking with any indignation or in anger or wrath, I am speaking from a practical point of view, as a practical man with my

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fifty years' experience in public life,—that this is not the way to go on if you really wish to have a constitution which will enable you to go forward step by step till you reach the goal of your aspiration. I repeat, wait till 1929, work the Act meanwhile in a proper and impartial spirit, prove by your sincerity and industry, that you are deserving and worthy of receiving larger responsibilities. As I said before, what have you hitherto done? What substantial materials are there for you to put before a Commission even if one comes out now? Remember, Parliament is a wise body. There are very many sagacious and experienced men in the British Parliament. When they gave us the boon of a reformed constitution, they really wished to do good to India; but of course they wanted us to proceed slowly and cautiously. That is the reason why they have deliberately fixed a period of ten years in the Act. But before we have really and fully worked the Act in the way wanted we are trying to jump to the top of the ladder all at once. How is that possible? Sir, I will not say more. But I would only again appeal to my Honourable friend Mr. Sethna and to my other friends here to think imperially and in a broadminded way. They should consider seriously the effect of making a demand now for a Royal Commission, before they agree to the Resolution of my Honourable friend Mr. Sethna.

THE HONOURABLE MR. PHIROZE C. SETHNA: Sir, as the House is aware, the discussion on this motion was originally fixed for the 15th of this month. But to suit the convenience of the Honourable the Home Member, the date was transferred to to-day, the 18th. This fact evidently got into the Press and also the reason for the transfer of the date, and I may take the House into my confidence and tell them that I received more than half a dozen messages from different parts of the country expressing the hope that because the Honourable the Home Member had chosen to be personally present in the Council of State that I might surely rely upon my Resolution being accepted *in toto* or at least my receiving a very satisfactory reply. I may assure the House I was not hasty enough to acknowledge those congratulations in anticipation, and I now find that I shall have to await their condolences.

Sir, the Honourable the Home Member is a personal friend of mine, and he has been pleased to refer to me in very kind terms, but he would have been kinder still if he had met me to some extent. As it is, his speech carries us no forrader. We understood the speech of His Excellency the Viceroy to mean that a Royal Commission would be granted at a date earlier than the date laid down in the Act provided certain conditions were fulfilled. I made out a case that the conditions were being fulfilled. The Honourable the Home Member thinks otherwise, and unfortunately for me, and fortunately for him, the two very contradictory speeches of two Honourable Members of this House who belong to the Swaraj Party . . .

THE HONOURABLE MR. V. RAMADAS PANTULU: Question?

THE HONOURABLE MR. PHIROZE C. SETHNA: . . . has perhaps strengthened his hands. May I know what "questioned"?

THE HONOURABLE MR. V. RAMADAS PANTULU: They are not contradictory.

THE HONOURABLE MR. PHIROZE C. SETHNA: I still say that they are contradictory. I think I need not enlarge upon this because the Honourable the Home Member has proved this conclusively. But, Sir, the

Honourable the Home Member took me to task for saying that the Swaraj Party was on the brain of the Government, and he said that it was not so. I am glad to hear it. He said that it is not the Party but the influence of the Party that he has been considering. I hope the Honourable the Home Member is aware that the Swaraj Party to-day is not as strong in numbers or perhaps as strong in influence as it was even a little while ago (*The Honourable Seth Govind Das*: "Question".) I will answer that "question".

In India, as elsewhere, the municipal elections are an index showing the way the wind blows, and I think we may take the result of the recent municipal elections in the city of Bombay . . . .

THE HONOURABLE RAO SAHIB DR. U. RAMA RAO: What about Madras?

THE HONOURABLE MR. PHIROZE C. SETHNA: . . . . as an index of the elections for the Assembly next November, and I think the Honourable the Home Member will find that there will not be as large a phalanx of Swarajist Members in the other House to oppose him. The municipal elections in the city of Bombay were held on the first of this month. There were 76 seats. Three years ago, of these 76 seats, I believe as many as 40 were captured by members who labelled themselves Swarajists. That number had dwindled down this year to only 27. That shows how the wind blows. Take again another election, the result of which we have heard this very day. I mean the return of a Member by the Bombay University in place of Mr. Jayakar, who was at one time a Swarajist, the leader of his party in the Bombay Council, but has now severed his connection. He did not want to continue in the Bombay Council under the Swarajist ticket and so his seat was contested by Dr. Paranjpye and Dr. Deshmukh. Dr. Deshmukh was a Swarajist candidate and the voting, I understand, was 1,254 for Dr. Paranjpye and 1,086 for Dr. Deshmukh. I hope, therefore, that the Honourable the Home Member will, as I said this morning, not make the other parties suffer because of the Swarajist Party, and that is exactly what he and the Government are doing, and that is my grievance.

The Honourable the Home Member referred to what I regard more as a technical point. Not being a lawyer, I will not take it upon myself to answer it. I think my friends the Honourable Mr. Khaparde and the Honourable Mr. Alay Nabi have dealt with the interpretation of section 84A of the Government of India Act. I put before him the layman's point of view. Has it not been suggested time after time that the date of the Royal Commission can be brought nearer and no legal or technical objection has been taken before now? It is only in furtherance of that view that I have asked for the immediate appointment of the Royal Commission. I said in my speech this morning that Government themselves had observed that there is no legal bar to the statutory period being lowered from 10 years to a shorter period. Perhaps my Honourable friend the Home Member means that under section 84A as drafted, it is perfectly open to the Commission either to suggest an advance or perhaps even a set-back, whereas my Resolution, as he used the words, has a pre-determined issue for an advance. May I ask the Honourable the Home Member, does he or does any one of the Government Benches say or does any one here or elsewhere contemplate for a moment that no matter what action the Swarajists may be responsible for, the hands of the



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clock are going to be set back, whether the Royal Commission is held in 1925 or in 1926? That, Sir, to my mind is a clear impossibility, no matter what the Government Benchés may say. I think the Honourable Sir Alexander Muddiman put my view of the case very clearly before the House when he said that perhaps my view was that in my opinion and in the opinion of those who agree with me, we have advanced so far and we have co-operated generally so well that we think that a Royal Commission, if we are allowed to place our case before it, would most undoubtedly favour an advance in the constitutional reforms. If, on the other hand, they thought otherwise, they might say, "Let there be a stand-still for some years longer." That certainly is my view, if my Honourable friend Sir Alexander has interpreted it in that way. My Honourable friend has himself admitted,—no matter what my friend Mr. Ramadas Pantulu may now say, that the Swarajist attitude has changed. The Honourable Mr. Ramadas Pantulu said that there has been no change since the Simla Session in September last, but the Honourable the Home Member, who has better opportunities of knowing what is happening all over the country, has told us that Bills have been considered on their own merits and passed. I presume from that that he means that they have been passed with the help and support of the Swarajist Members of the different Councils.

THE HONOURABLE MR. V. RAMADAS PANTULU: Even before September.

THE HONOURABLE MR. PHIROZE C. SETHNA: I think I heard the Honourable the Home Member say later than September.

However, what I would like to urge is this. The Honourable Sir Alexander Muddiman, in referring to the Honourable Mr. Ramadas Pantulu's speech observed that he himself and Mr. Ramadas Pantulu were here by the "decree of Parliament." We do not deny that for a moment. But what is meant by the decree of Parliament? What do the British people know of India when you do not get even a quorum to listen to the Indian Budget debate in the House of Commons? It is the Government of India which dictates to Parliament, or suggests to Parliament what they should do. Therefore, Sir, there is no use telling us time after time—even His Excellency the Viceroy has repeated it—that Parliament will do this and Parliament will do that. If the Government of India are disposed to do it, Parliament will simply follow what the Government of India ask them to do, and if the Government of India choose to enhance the constitutional reforms, they can do so to-day. The Government of India have always had and have some very good friends amongst the Indians. I propose to quote a few lines from a speech made as far back as 25 or 30 years ago by an eminent Indian on the Bombay side, the late Justice Govind Mahadev Ranade. He said:

"There can be no question that a nation of 250 millions can ever be permanently held down by sheer force and sooner or later in God's providence, and under the encouragement of the British example and discipline the people of this country must rise to the status of self-government and learn to control their own affairs in subordinate alliance with England. The transfer of power is inevitable."

That is the point. But that transfer is so slow, is very very slow, and that is our complaint. It ought to be hastened and it has not been hastened for some time. I think the proverb "bis dat qui cito

dat" is as true to-day as when it was first written centuries ago; and I would appeal to the Government of India not to do things grudgingly as they have all along done or do them only when they are coerced into it. Let me respectfully appeal to them and tell them that if they do so cheerfully it will be very greatly esteemed and promote a better understanding between England and India. There is one fault which I have always found and the history of this country will show that England—when I say England I mean the Government of India advising England—is always slow and only does things when it is compelled to. Sir, I would ask my English friends to look to their own history. I do not propose to quote chapters from that history myself, but I will read to you a paragraph, very pregnant with meaning from a book published only a few months ago known as "The Other Side of the Medal," the author of which is Mr. Edward Thompson. He refers to the trouble in India and says:

"I spoke of a struggle which is at its commencement. Yet may we not ask, need there be a struggle at all? Having chosen in the case of South Africa the wisest and most magnanimous course of action that ever showed a nation's greatness—having at long last the promise of friendship with Ireland, and, through that finish of old enmity, with the United States, having long ago passed safely through the dangerous stages of our relations with Canada and Australia and New Zealand—can we not settle this latest of our great imperial problems also? Or, if there must be a struggle before there is peace, need it be embittered?"

I repeat my appeal: do not allow the struggle to be embittered, give what you can, give it soon and give it graciously.

Sir, just one remark in regard to what fell from the Honourable Sir Bijay Chand Mahtab, the Maharaja of Burdwan. He seemed to think, as far as I understood him, that because the people of India are divided into four groups or parties, the Anarchists, the Swarajists, the Nationalists or Independents, and the Moderates, if there is a constitutional advance it will mean that vested interests will suffer and that there will be Bolshevism or greater Bolshevism in the country.

THE HONOURABLE SIR BIJAY CHAND MAHTAB, MAHARAJADHIRAJA BAHADUR OF BURDWAN: I am afraid that here again the Honourable Member is at fault. I tried to analyse the different parties in India at the present moment and I tried to make out what those parties thought of the British Government in India. Then I went on to define the difficulties. Among those difficulties I pointed out vested interests. I did not say that vested interests would suffer either at the hands of the Bolsheviks or anybody else.

THE HONOURABLE MR. PHIROZE C. SETHNA: With all deference to my learned friend, what other conclusion could I myself or the House draw from that statement which he made first and which he has now repeated? The only presumption is that if a further constitutional advance is granted vested interests will suffer. I must be very dense if I have not understood him aright. However, I will tell him that if further constitutional advance is not granted, Bolshevism will come into the land perforce; you are inviting Bolshevism by not granting further constitutional advance and you have to thank yourselves for it. That is my reply to the Honourable Member and to the Government Benches.

In conclusion, Sir, a request has fallen from my Honourable friend the Maharaja of Burdwan, as also from my revered and patriarchal friend the Honourable Sir Dinshaw Wacha, and of course from the Honourable the Home Member that I should withdraw this Resolution. I see no reason for doing so. I do not mind the fate of the Resolution. But whilst I do

[Mr. Phiroze C. Sethna.]

not accept their advice in this respect I want to pay a compliment to the Honourable the Maharaja of Burdwan by accepting the recipe which he has prescribed on the recommendation of his friend from the Punjab who told him that the English will never give unless you go on hammering away, and I therefore propose to go on hammering away until the Royal Commission is appointed earlier than the date fixed in the Act.

THE HONOURABLE SIR ALEXANDER MUDDIMAN (Home Member): Sir, the hour is late and the House, I am sure, feels somewhat exhausted. I will not therefore detain it at any great length. But there are one or two observations which appear to me to be necessary in view of the course of the debate. Now, Sir, I had a sort of feeling when I heard my Honourable friend replying that he had slightly misconceived my previous speech. I think he may have thought that I had not been as generous and as fair as I might have been to that part of the Indian community which has endeavoured in spite of great discouragement, in spite of considerable obloquy, to work the reforms. I desire to acknowledge the greatness of their services, not to the Government but to their country. I desire to say that it is on those lines that India will advance. My Honourable friend told me with some pride that his party has been victorious in certain municipal elections. (*The Honourable Mr. Phiroze C. Sethna*: "I did."). I trust it may continue to be victorious—I mean any party that desires to work with the Government. (*The Honourable Mr. Phiroze C. Sethna*: "Thank you, Sir."). But let me say a word to him. It was said, and I assented at any rate by gesture to that proposition, that India is sound at heart. Sir, I believe India to be quite sound at heart but India is inarticulate, largely inarticulate, and it is only by the efforts of those like my Honourable friend who believe in constitutional advance on the lines laid down in Parliament that an informed public opinion will be created in India. I trust it will not be from any apathy on the part of men of light and learning of his way of feeling that that position is not brought home to the inarticulate masses of India. I would ask him before he prides himself too greatly on the result of certain municipal elections to carry his campaign further, to spread his banner more widely and seek and find new fields of victory.

Then, Sir, if I understood my Honourable friend aright he seemed to think that I was contending there is some legal bar to the appointment of his Committee. I noticed he did not meet my point at all, that his Commission is a very different Commission from the Commission contemplated by the Government of India Act, because he presumes—I again repeat with all deference—presumes the conclusions and prejudges the issue at stake. I am not endeavouring to construe the terms of the Resolution in any narrow legal sense, as my other Honourable friend over there seemed to think. I take it in the ordinary meaning of the language.

And as to the advancement of the date of the Statutory Commission I never suggested, I have not suggested and it has never been suggested, that there was any legal difficulty in the way. The method of acceleration has been clearly stated on many occasions. I again restate it. It is co-operation. Now, I quite understand this House feeling that to repeat this word in a parrot-like way is to give no real answer. But co-operation is not a word. It is a continued and steady course of conduct. If every Member of this House and in every Legislature in India stood on his legs and shouted "We co-operate", that would have no effect on my mind at all. It is by a

steady course of conduct that facts are established. It has been said that co-operation has been received to a considerable extent. I will not deny that in certain quarters it has been received. I acknowledge thankfully on the part of Government the co-operation that has consistently and steadily been extended to the Government by the first Council of State, and which I am perfectly sure will continue to be extended by the present House. I acknowledge that. There are other instances undoubtedly; and the atmosphere is getting better. I hope so and I hope it may continue. I look to my Honourable friend to produce that result by his own efforts and by the efforts of those that think with him. I will not enter into the difficult intricacies of some parties with which I am not fully acquainted lest I tread on delicate ground. I trust soon that all parties may have at any rate one view and that is that they will work the existing constitution for all it is worth; and when that comes about, then my Honourable friend will move his Resolution in a happier time. I regret therefore I am still unable to accept the Resolution moved by my Honourable friend, and I trust that in spite of what he has said he will follow, as I know he wishes to do, the ways of peace and accept the advice of one who is older than himself who sits in front of him, and withdraw his Resolution.

**THE HONOURABLE THE PRESIDENT:** The question is that the following Resolution be adopted:

"This Council recommends to the Governor General in Council to urge upon His Majesty's Government the appointment forthwith of a Royal Commission to investigate and inquire into the working of the present Indian constitution and to formulate a scheme for the establishment of responsible government in India."

The motion was negatived.

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#### ELECTION OF PANELS FOR STANDING COMMITTEES.

**THE HONOURABLE MR. J. CRERAR** (Home Secretary): Sir, as the hour is late and the House has spent the whole day debating an issue of the very first importance I will not detain them longer in making this motion, though the matter is one of very considerable importance. I move, therefore:

"That this Council do proceed to elect in the manner described in the rules published in the Home Department notification No. F. 49, dated the 22nd August, 1922, as amended by the Home Department notification No. D.-794, C., dated the 30th January, 1924, 4 panels consisting of 6 members each, from which the members of the 4 Standing Committees to advise on subjects in the Home Department, the Department of Commerce, the Department of Education, Health and Lands and the Department of Industries and Labour respectively will be nominated."

The motion was adopted.

The Council then adjourned till Eleven of the Clock on Saturday, the 20th February, 1926.

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