

Wednesday, 9th February, 1927

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VOLUME I, 1927

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THIRD SESSION

OF THE

SECOND COUNCIL OF STATE, 1927



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COUNCIL OF STATE.

Wednesday, 9th February, 1927.

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

MEMBER SWORN:

The Honourable Mr. G. L. Corbett, C.I.E. (Commerce Secretary).

QUESTIONS AND ANSWERS.

CONTEMPLATED PLACING UNDER RESTRAINT OF THE HONOURABLE HAJI ABU AHMED A. K. GHUZHNAVI.

49. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI: Will the Government be pleased to state—

(a) whether it is a fact that the Government of Bengal decided or recommended or contemplated a few months ago that the Honourable Haji Abu Ahmed A. K. Ghuznavi should be bound over or placed under restraint or interned;

(b) if the answer to (a) is in the affirmative, will the Government be pleased to state the grounds on which such detention, restriction or internment was decided upon, recommended or contemplated and why the same was not given effect to?

THE HONOURABLE MR. H. G. HAIG: The Government of India have no information.

POLL-TAX ON INDIANS IN KENYA.

50. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI: Has the attention of the Government been drawn to the proposed poll-tax sought to be imposed on Indians in Kenya? If so, what steps do the Government propose to take with regard to it?

THE HONOURABLE KHAN BAHADUR SIR MUHAMMAD HABIBULLAH: The attention of the Honourable Member is invited to the reply given by me yesterday to his question No. 19 on the same subject.

ENHANCEMENT OF THE RAILWAY FREIGHT ON KHADDAR CLOTH.

51. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI: Is it a fact that railway freight on Khaddar cloth has of late been raised by about 147 per cent. over what it was 5 years ago, and that the rule that such rates cannot be enhanced by more than 25 per cent. has been abrogated to give effect to such enhancement?

THE HONOURABLE MR. G. L. CORBETT: No. Khaddar is classified on all railways under the head of piece-goods, the permissible rates for which during the last seven years have not been raised by more than 25 per cent. The Honourable Member is probably referring to the fact that prior to 1924 some railways charged Khadi or Khaddar under a lower classification, then existing, but now abolished, for Garah or Kharwa cloth, and on those railways the increase has, of course, owing to the change in classification, been larger, though nothing like 147 per cent. but the classification of Khaddar as piece-goods was adopted generally on all railways in 1924.

ACQUISITION OF LAND FOR THE VIZAGAPATAM HARBOUR.

52. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI: (a) Will the Government be pleased to state the amount of money spent in acquiring sites for the Vizagapatam harbour?

(b) Is it a fact that in certain cases the prices paid for the acquisition of lands for the above harbour are higher than the current market prices? If so, how much higher?

(c) Did the Government of Madras prosecute an officer in charge of land acquisition for the said harbour? If so, what has happened to such prosecution?

(d) Are the Government contemplating the criminal prosecution of the officer or officers responsible for the mismanagement, if any, with regard to the land acquisition for the said harbour?

(e) Is it a fact that the Chief Engineer in charge of the said harbour scheme has imported certain contractors from Portuguese India for constructing the harbour? If so, have the claims of the Indian contractors been considered?

THE HONOURABLE MR. G. L. CORBETT: (a) Rs. 45,00,000 approximately.

(b) Yes.

(c) and (d). An inquiry was held by the Government of Madras into the conduct of the officer responsible for the acquisition of land for the Vizagapatam Harbour and as a result of this he was dismissed from Government service. No criminal prosecution is contemplated.

(e) The answer to the first part of the question is in the negative and the second does not arise.

PROGRESS IN THE CONSTRUCTION OF THE RAIPUR-VIZIANAGRAM RAILWAY.

53. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI: Will the Government be pleased to state the progress made in the Raipur-Vizianagram railway construction?

THE HONOURABLE MR. G. L. CORBETT: The section from Vizianagram to Parvatipuram has been open for traffic since March, 1909. On the remaining section from Parvatipuram to Raipur, which is now under construction, about 10 per cent. of the work has been completed.

EXPENDITURE ON THE VIZAGAPATAM HARBOUR.

54. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI:
 (a) Will the Government be pleased to state the total amount of money spent up to now on the construction of the Vizagapatam harbour and whether it has been up to, or in excess of, the estimate of expenses and the amount of excess, if any?

(b) Has the attention of Government been drawn to the necessity of constant dredging involved in the Vizagapatam harbour scheme by the fact of a river flowing into the said harbour?

(c) Is it a fact that the sea at the mouth of the above harbour is showing a tendency to recede? If so, is the Government satisfied of the feasibility of taking steps to prevent such receding?

THE HONOURABLE MR. G. L. CORBETT: (a) Rs. 60,96,760 had been spent on the construction of the harbour up to 30th September, 1926. A revised estimate of the cost is shortly expected, but, apart from any additional works which may be proposed; it is not anticipated that it will vary appreciably from the original estimate.

(b) Naturally, Government did not overlook the point raised by the Honourable Member's question, and would not have undertaken this scheme if the cost of dredging to keep the harbour open had been likely to make the project unprofitable. But the project provides for tidal scour basins which will have the effect of keeping the channel bar clear by tidal action, and there are therefore no grounds for the Honourable Member's apprehensions.

(c) There are no indications that the mouth of the harbour is showing a tendency to recede.

RAILWAY FROM INDIA TO BURMA.

55. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI:
 Are the Government contemplating the connection of India with Burma by railway? If so, when and by what route?

THE HONOURABLE MR. G. L. CORBETT: Surveys have been made of several routes connecting India with Burma, but construction is not likely to be taken in hand in the near future nor has a route been decided on.

NUMBER OF CASES DEALT WITH BY THE RAILWAY RATES ADVISORY COMMITTEE.

56. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI:
 Will the Government be pleased to state the number of cases dealt with by the Railway Rates Tribunal?

THE HONOURABLE MR. G. L. CORBETT: Up to date two cases have been referred to the Railway Rates Advisory Committee. Six other applications have been made to Agents of various railways. Of these six applications, two have been forwarded to the Government of India with the Agents' remarks and are under consideration. Agents' statements are awaited as regards the other four cases.

THE HONOURABLE MR. V. RAMADAS PANTULU: Do the Government expect that there will be an increased number of cases as a result of the recent changes in the rules?

THE HONOURABLE MR. G. L. CORBETT: I am afraid I could not quite hear, Sir.

(The question was not repeated.)

RAILWAY BRIDGE AT BALLY.

57. THE HONOURABLE MR. KUMAR SANKAR ROY CHOUDHURI: Will the Government be pleased to state—

- (a) the progress made in the proposed construction of the Railway bridge at Bally in Bengal; and
- (b) whether and to what extent the materials for the construction of the said bridge are Indian?

THE HONOURABLE MR. G. L. CORBETT: (a) The work has only lately been put in hand and progress in the initial stages of the construction is, of necessity, rather slow.

(b) Orders for pontoons and well curbs have been placed in Calcutta. Designs for the superstructure are still under preparation, and tenders for this portion of the work will be called for in due course.

RESOLUTION *RE* PROHIBITION OF ALCOHOLIC LIQUORS IN LOCAL ADMINISTRATIONS UNDER THE DIRECT CONTROL OF THE GOVERNMENT OF INDIA.

THE HONOURABLE MR. V. RAMADAS PANTULU (Madras: Non-Muhammadan): Sir, I beg to move the following Resolution:

"This Council recommends to the Governor General in Council that a policy of prohibition of the use of alcoholic liquors should be adopted in the local Administrations under the direct control of the Government of India."

I wish to say a word, Sir, with reference to the frame and the scope of my Resolution. Now that the excise revenue is a provincial source of income and is a transferred subject, I have necessarily to limit the scope of my Resolution to sources of income from excise which the Central Government derives. I know that the custom duties on foreign liquor throughout India are still a source of income for the Central Government, but I wanted to raise the whole question of prohibition relating to foreign liquors as well as indigenous liquors, and, therefore, I have chosen to restrict my Resolution to the Administrations under the direct control of the Government of India, so that I may be able to speak generally on the policy of prohibition.

Sir, with regard to the policy of the Government which has hitherto been pursued it may be compendiously described as a policy of "regulation" as opposed to a policy of prevention or "prohibition." From the very inception of the raising of excise revenue by the Government their policy has been one of mere regulation. So early as 1888-89 I find that in a Despatch Lord Crewe laid down three definite principles as forming the fundamentals of the Government excise policy. His Lordship said:

"that any extension of the habit of drinking was to be discouraged; secondly, that the tax was to be as high as possible without encouraging illicit manufacture and vend; and thirdly, that, subject to these considerations, the maximum revenue was to be raised from the minimum consumption of intoxicating liquors."

The general effect of the recommendations of the Excise Committee of 1905-06 has been merely to follow this policy only in greater detail. I find that the Government of India in their Resolution of 1905 have reiterated their policy in these words :

“ The Government of India have no desire to interfere with the habits of those who use alcohol in moderation. This is regarded by them as outside the duty of the Government, and it is necessary in their opinion to make due provision for the needs of persons. Their settled policy, however, is to minimise the temptation to those who do not drink and to discourage excess among those who do.”

Then again, as a result of a deputation, headed by Sir Herbert Roberts, which waited on Lord Crewe in the year 1912, the whole question of the excise policy was reviewed both by the Government of India and by the Secretary of State, and in a comprehensive Resolution the Government of India laid down once more their excise policy in 1914. I find, Sir, that the Government of India then said :

“ In these circumstances we do not consider that we should be justified in prohibiting moderate consumption even with a view to check occasional abuse. Our policy is not aimed at those who use alcohol in moderation. We merely attempt by raising the retail price to minimise the temptation to those who do not drink and to discourage excess among those who do.”

That this policy remains the same to this day is evident from the fact that in the year of grace 1927 my Honourable friend, Mr. Brayne, has tabled an amendment to my Resolution which is substantially in the same words which were used by Lord Cross in 1888. So a careful perusal of the official documents relating to excise policy brings out two matters very prominently, namely, that the Government of India are very definitely opposed to a policy of prohibition or prevention, and secondly, that the Government of India admit and they indeed claim that they are pursuing a policy of moderation by regulating the use of liquor. With regard to the first, I shall have something to say when I give my reasons in favour of a policy of prohibition. With regard to the second, namely, the claim of the Government to have succeeded in effectively regulating the use of alcoholic liquors, I shall deal immediately. The Government have controverted very vigorously the criticisms levelled against them that their policy has really tended to increase the consumption of liquors. They have defended themselves by saying that drink is not an evil which has come to India in the wake of the British advent. They say that the drink evil had been there before the British came; and they have made also the astounding statement that the classes whose habits of life are framed with a strict regard to social restrictions form in India no larger proportion of the population than in other countries; that is, the teetotallers of other countries correspond to the non-drinking classes in India. That is the first claim they make. Secondly, they say that they have adopted a policy whereby they have effectively checked consumption. The policy may be very briefly summed up in three words. Firstly, a strict administrative control over the trade by the extinction of the illicit trade by extending the distillery system or otherwise; secondly, by materially reducing the facilities for drink; and thirdly, by economic check on the use of liquors by taxation and the consequent enhancement in the price of liquor. By this policy they claim they have reduced consumption. I may at once state that this claim of the Government of India is challenged by some very well-informed people. The Government of India, when they make the statement that the drink evil is as much an evil as in other countries,

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are, I think, making a statement which is somewhat hazardous. So far as India is concerned, there are vast communities of people who by sentiment, by religious tenets, by social custom, are precluded from drinking and look upon drink as a thing to be absolutely avoided. The Hindu, the Muhammadan and the Buddhist communities are all interdicted from drinking by their religious precepts. The ancient law-giver, Manu, is still respected in India, and in one dictum he says :

“ With the drinkers of *Madhu* let no one eat, no one join in a sacrifice, no one read. With such a wretch let no one be allied in marriage. Let him be abject and excluded from all social privileges.”

Though many of our social regulations are now relaxed, I maintain that the dictum of Manu is still respected by the vast majority of the people. The Buddhistic injunctions aim at the same result, and the Koran I am told contains very strict injunctions against drink. Therefore, the claim of the Government of India that the drink evil had already been in vogue in a very large measure when they came to India is, I should think, absolutely unfounded. Then they say that their policy has resulted in a material reduction of consumption, and quote statistics. Recently Sir Basil Blackett has adduced many figures to show that there has been a material reduction in the consumption of country liquors during the last 12 years. I am not disposed to dispute his statement. It may be that there has been some reduction in the consumption of country liquors. But that statement by itself does not amount to very much for the reasons which I shall immediately state. First of all, there is great difficulty in finding out the actual production and consumption of all sorts of liquors. In the province from which I come there is a variety of drink called fermented toddy, which yields no less than 46 per cent. of the total excise revenue of the province, and there are certain accounts to show the number of trees tapped. But, so far as I know, there are no accounts from which we can gather either the quantity of liquor produced by these trees or the amount consumed. Therefore, if country spirits are made dearer, there is no guarantee that the people have not resorted to the less costly or the cheaper variety of toddy. I find that in Burma as much as 41 per cent. of the revenue is derived from this kind of toddy, and I find that in Burma, Bihar and Orissa, Bengal, the United Provinces and Assam, there are no accounts to show even the number of trees tapped, not to say that there are no accounts to show either the quantity of liquor produced or the amount consumed.

Therefore there are really no reliable statistics to show that if there is a decrease in the consumption of country spirits there has not been a corresponding increase in the other varieties of the cheaper liquors. In fact, when the Government of India made this somewhat sweeping claim for the success of their policy in the Resolution of 1914, Lord Crewe himself very politely demurred to their claim in these words :

“ The general conclusion that the action of Government has checked any widespread expansion of consumption over India as a whole is unfortunately qualified by the fact that in certain areas alluded to in the Local Governments' reports an increase alike of consumption and of intemperance must be admitted and faced.”

Therefore, Sir, I maintain that the popular belief that the drink evil has grown is, in my opinion, absolutely justified. The Government of India

admit that there has been an increase, an enormous increase, in their excise revenue, but justify it by saying that it is the natural result of their excise system which does not indicate that there has been a proportionate increase in the consumption. In 1904 the total excise revenue of India was 7½ crores. Twenty years later, in 1924, it was 21 crores. It is somewhat difficult to believe that the Government increased their revenue from 7½ to 21 crores without a very large increase in the consumption of liquors. Therefore, I maintain that the policy hitherto adopted by the Government has been a failure and it has not resulted in any effective checking of the use of alcoholic liquors. Therefore it is now time for the Government of India to consider whether, in the interests of the country and the interests of the poor people who are the chief victims of this evil, they should not revise their policy and adopt a more stringent policy towards prevention or prohibition.

This policy of prohibition is essentially based upon a moral issue. I do not wish to expatiate upon the morals of not drinking, but I only wish to say what a moral issue really means. Of the various views put forth upon this question of moral issue I believe that the definition of moral issue by an American writer is the best suited to India. What he says is :

“ A moral issue is an issue on which something akin to emotional horror is evoked against a given practice. Such a feeling is commonly evoked against killing, stealing, lying, adultery and a far other things. When such a feeling of emotional horror exists, it is useless to talk of the differences between moderate and immoderate indulgence. The thing itself even in the moderate form is looked upon with emotional aversion.”

The question is, is the drink evil a thing which ought to excite such emotional horror and which ought to be prevented? I maintain that it is. Even the Government of India do not dispute the fact that drink is a serious evil and that it is injurious both to the individual as well as to society. They only say that the State cannot resort to compulsion, and it would be outside the duty of the State to take up any attitude of prohibition. But if we survey the whole question from the results which have already been produced in India and from the results produced elsewhere in the world and the conclusions arrived at by expert bodies which were asked to investigate the question, there can, I think, be no two opinions on the question that drinking ought to be prohibited in every well-managed State. I shall not now refer to America, because a volume of controversy is raging over the success of prohibition in America, though personally, from the literature I have read and also from the very important and useful information which I received from the exponents of prohibition who recently visited Madras and delivered a series of lectures, I am satisfied that prohibition is a great success in America. I shall not allude to that question in this Council to-day, but I shall refer to one or two opinions which were recently expressed by very expert bodies which I think ought to make any State to pause and consider and revise their excise policy. In the year 1918 an expert scientific committee appointed by Lord D'Abernon and which included such eminent scientists as Professor Sherrington and Sir George Newman collected a lot of evidence and said that they found indications in that evidence that parental alcoholism may have a serious detrimental influence on the stock; but at that time they said that they lacked confirmation and that the issue was so vital in its nature that they would prefer to defer their conclusions until confirmation is received from other sources. Such confirmation very

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quickly followed and it came from investigations made in Rockefeller's Institute of Medical Research and also by the National Birth-Rate Commission of 1918-20. That Commission said in their report:

"The evidence before them established beyond question that parental alcoholism is capable of exercising an injurious influence on the birth-rate both from a quantitative and qualitative point of view."

There cannot be any possible doubt after these and other opinions of experts that it is a racial poison which ought to be eliminated in the interests of the future population of this country, and I think a very heavy responsibility rests upon the State to see that the future of this country is not injuriously affected by persisting in their excise policy which is having the effect of spreading the drink evil. Another authority, Sir Leonard Rogers, characterised the opinion that in tropical climates alcoholic beverage in small quantities is a necessity as a "*mischievous delusion*". It is unnecessary for me to multiply authorities on the question of the evils of drink which ought to be patent to every well-wisher of the country.

On the side of economic efficiency, the Great War has revealed to us that real economies in men and food can be effected only by eliminating the drink evil. The experience of America and even of England itself of the enormous economies which could be effected, and how the social, material and moral conditions of the country could be improved if only a section of the population is weaned away from this drink evil is sufficient to reveal to anybody who reads the history of the War the benefits that flowed from a policy of even partial prohibition that was carried on in those countries. Therefore, I do not think I need plead very much more for this policy of prohibition.

But the question is, how is it to be effected? It may be effected either gradually by resorting to local option or by taking the very serious and bold step of total prohibition. I know that the Government of India are not friendly even to the policy of local option. In fact, in the Resolution of 1914 the Government of India objected to local advisory committees being invested with any large licensing powers because those boards would introduce local option by prohibiting the sale of liquor altogether in localities. Lord Crewe very mildly hinted that that attitude of the Government of India was not quite the right one. He said that, if public opinion favoured prohibition of drink, the Government of India ought not to object to local option and that the powers of advisory committees ought not to be stringently restricted in that direction. One or two arguments that were adduced against prohibition I may briefly allude to. The most formidable objection that is raised is that the prohibition of the use of alcoholic liquors will result in a tremendous fall in revenue to the country. In 1924, the amount of revenue was 21 crores. I do not know how much it is to-day. The question is, how to make up this large sum of money if we resort to prohibition all of a sudden? That does not trouble me, because it is not for me to suggest ways and means to the Government of India as to how they should find their revenue if they were to lose this immoral source of revenue. Immoral sources should go. If the Government are making money by the slave traffic or the drink traffic, that income ought to go, and it is for them to find out ways and means of replacing it. I have not

to make the Budget for the Government of India. Let the Government of India place the financial administration of this country in the peoples' hands; they will be able to make up a Budget in which the drink traffic will not find a place on the credit side. The Government can find ways and means of meeting deficiencies. Apart from that, if the question is seriously tackled, ways and means will follow. This revenue comes from the poorest of the poor, people who have no wealth and lands and who are sunk in ignorance and poverty. When that source of revenue is cut off and you have to find other money, the burden will naturally fall upon the shoulders of people who have property, who have money to contribute, but who are not responsible for the loss of this revenue. If social justice is to be done to the poor classes, the richer classes will not draw back from their responsibility of shouldering the burden, and any readjustment of taxation will not be unwelcome to the people of this country, because they know that the national strength lies in the uplifting of the poorer classes who have become inefficient and demoralised through the drink habit. I can assure you that this House and this country will not fail to do its duty by their poorer brethren, who are sunk in this miserable condition on account of drink.

Again, in regard to the question of ways and means, if the Government are serious, that question can be tackled by appointing a committee which will go into the whole matter of finding out ways and means. That problem has never been tackled, for the simple reason that the Government policy has been to derive as much revenue as possible from this immoral source, justifying their action by saying that the increase in revenue has not resulted in an increase in consumption. Even the Government of India do not say that the increase in taxation and the consequent enhancement of retail prices has resulted in any decrease in consumption; but they say that it has not resulted in an increase in consumption. This is a poor consolation. The Honourable Sir Basil Blackett went so far as to compare India with other countries and to say that the effects of the Government of India policy have borne fruit. He said that while the consumption per hundred of population is 2.68 gallons in India, it is 15.33 gallons in Ceylon and 30 gallons in England, and 58 gallons in Scotland. The sentiment in the countries he names does not object to drink. Everybody there drinks, though they may not get drunk. So such a comparison does not hold good with a country like India where large numbers do not drink at all. If the question of ways and means is taken up seriously by the Government of India, then they could tackle this question of prohibition or prevention.

Then again this fall of 20 crores in revenue may be spread over 20 years or any period that the Government may fix so as to be gradually wiped out. The Ministers of the Government of Bombay have laid down that their goal is prohibition in 20 years, though recently a committee appointed by the Bombay Government have arrived at an opposite conclusion. It should not be impossible for the Government to find out how this loss of revenue can be spread over a period of years.

THE HONOURABLE THE PRESIDENT: I would remind the Honourable Member that he has two minutes left. I warn him now because, in view of the heavy list of business, I do not think it will be fair to those who have business to bring forward, to allow any latitude in the time-limit.

THE HONOURABLE MR. V. RAMADAS PANTULU: There is a precedent that when the opium traffic with China had to be given up, Government found some method by which they could make up the revenue. A similar measure could be adopted here, and the whole country will be behind the Government of India.

In view of what the Honourable the President has said, I do not wish to take up more time at present. I shall have to say a few words more when replying. I am aware that at the present time there are various administrative and other difficulties in regard to pushing forward this policy. There is conflict between the Government of India and the provinces. I know that in my province recently permission was refused to introduce a local option Bill. In Bombay the Minister was also tied down because his policy encroached on the Government of India's rights. Any measure of local option would be futile, if it does not deal with prohibition of foreign liquors also, which is the Central Government's concern. These difficulties are not insurmountable because they are matters of financial adjustment between the Government of India and the provinces, and I therefore hope that the Government of India will see their way to act courageously and adopt a policy of prohibition in the place of one of moderation, which the Government Member is going to re-advocate by his amendment in spite of it having failed in the past.

With these words I commend my Resolution to the House.

THE HONOURABLE MR. A. F. L. BRAYNE (Finance Secretary): Sir, I beg to move as an amendment:

"That for the original Resolution the following be substituted, namely:

"This Council recommends to the Governor General in Council that a policy designed to promote and ensure moderation in the use of alcoholic liquors should be adopted in the local Administrations under the direct control of the Government of India."

Sir, as my Honourable friend Mr. Ramadas Pantulu observed, this amendment is a statement in epitome of the declared policy of the Government of India, to which they have held for many years before the Reforms. It is a policy designed to check consumption by imposing taxation at a high rate, but not so high as to induce illicit distillation and smuggling. It is also designed to effect drastic limitation in the number of shops and in the facility of obtaining liquor. It is further designed to limit the hours of sale and the strength of liquor, and they have, as far as possible, followed the policy of consulting local opinion. That this general policy has achieved a great measure of success is clear from the fact that the consumption of country liquor in India has fallen from 5 gallons per hundred of population, in 1883, to 4 gallons in 1912-13, and to just over 2½ gallons in 1923-24, while imports of alcoholic liquor from abroad have decreased from 6½ gallons in 1913-14 to 5½ gallons in 1925-26. My Honourable friend Mr. Pantulu rather questioned these statistics, but until he is able to produce more reliable statistics I am afraid they must stand. The Government have never regarded a policy of prohibition as either desirable or feasible in India. At this stage I

may say, I think, Sir, that we are not concerned with the revenue aspect of the question. This Resolution deals only with the Administrations under the Government of India, and I think our total excise revenue from that source is only about 20 lakhs. The Resolution need not be discussed on the question of revenue. As regards other revenue which the Government of India obtain from customs duty on imported liquor, this also need not enter into the discussion as the Government of India cannot enforce a policy of prohibition on Local Governments. The objections to the policy, as a whole, fall under three heads: one, that it is unmoral: two, that it is unattainable or practically unattainable, and three, so far as the territories under the Government of India are concerned, it is unnecessary. It is unmoral for the reason that it interferes with the liberty of the subject in matters that ought to be left to him to work out his own salvation. The State has no right to interfere with the domestic concerns of the individual, unless there is evidence of a very severe abuse, so serious indeed that it is a menace to the well-being of the body politic; and also prohibition makes a crime of what is not a crime. It is a policy which has been adopted in many countries and almost everywhere; after it has been adopted, it has been rejected very largely because it has led to deterioration in the moral fibre of the people. What actually happens is, that under a policy of prohibition illicit distillation and smuggling are rife. These evils cannot be prevented by any means because the profits from illicit distillation are so enormous that those who carry out the excise administration are bound to be corrupted. People then see that the law is broken stealthily or even openly, and from the breaking of the excise laws there proceeds a gradual development of lawlessness in almost every other department of life. There is also the grave danger of stimulating the traffic in dangerous drugs, such as cocaine. I need not refer to America, as the Honourable Mr. Pantulu has only briefly raised that question, but I think there is much to be said on both sides about America. At any rate it is too early to dogmatise. It is for reasons such as these that the impossibility of carrying out prohibition in the Canadian States, in Newfoundland, in Hungary and, to a certain degree, in Norway, was recognized. Also in the second place, true prohibition is practically unattainable in the territories under the control of the Government of India; I refer particularly to Delhi, Ajmer, the North-West Frontier Province and Baluchistan. I should like to carry the House back to the year 1810, when the Emperor Alauddin Khilji reigned in Delhi. Apparently through a fit of remorse, because, I believe, he himself was not a total abstainer, he imposed a policy of prohibition on the city of Delhi, which was then a walled city. There would be greater difficulty to-day because I have not heard that the Government of India propose to build a wall round the New City. I quote a paraphrase from the *Tarikh-i-Firoz Shah*, which was written about 1856, and is reproduced in the 39th Volume of the Journal of the Royal Asiatic Society. Alauddin proclaimed general prohibition. Distillation however continued and a considerable amount of liquor was imported into the city. The guards on the gates were doubled and smugglers were very severely handled by the law, but we have it that the evil thing still continued and people resorted to villages at a safe distance to drink, or distilled in their own homes. Eventually after a struggle the Emperor was driven to permit that distillation might be conducted privately and alcohol so distilled might be consumed in private, and the only restriction which remained was upon its sale. It is curious

[Mr. A. F. L. Brayne.]

how history repeats itself. That is exactly what has happened in America to-day, as the law courts in America have, I understand, held that distillation is permissible in private. If then it was so difficult then, I would ask the House how it would be possible to-day to enforce a policy of prohibition, say, in Delhi. It would be necessary to arrange for a very large cordon of guards, a very large establishment indeed, on the boundaries. All communication by road and rail would be most severely restricted. Further, inside the Delhi area, we would have a large preventive staff, giving rise to espionage and constant interference with the sanctity of the home because illicit distillation is so simple a process. Further prohibition could not even be attempted unless the neighbouring provinces of the Punjab, and the United Provinces and the Indian States could be induced to accept the same policy. It is also in fact unnecessary to enforce this drastic measure because there is no evidence of a great drink evil in the territories under the Government of India. I notice from the report of the Excise Committee in Bombay in 1924 that, strong prohibitionists though they were, they were compelled to admit that India was an abstemious country, that the great majority of the people were entirely sober, and that the regular drunkard was unknown. I think the same statement would apply to the territories under the Government of India. As I have already stated, the average consumption of country liquor for India, as a whole, has decreased by 50 per cent. since 1883, and the figure that remains, 2½ gallons per hundred of the population per annum is an extremely moderate one. At the same time the importation of foreign liquors is nothing so great as it was before the War. I quote a few statistics in support of the view that steady progress has been made in the reduction of consumption of alcoholic liquors in the areas now under consideration. The consumption of country spirit in Delhi has decreased from 32,000 proof gallons in 1912-13 to 16,000 gallons in 1924-25. The consumption is still very low in the North-West Frontier Province, about one gallon per hundred of the population per annum. It has been kept at that figure in spite of a considerable growth of prosperity and peaceful conditions, and, if the figures for Ajmer and Baluchistan are not quite so good, it is largely due to the peculiarly difficult conditions under which excise restrictions are imposed in those areas. But at the same time the number of liquor shops has decreased in these 12 years in Ajmer from 128 to 106; in the North-West Frontier Province, with a population of 2½ millions, from 37 to 26, and in Baluchistan from 62 to 51. Statistics of the number of convictions for drunkenness are as follows. They indicate an increasing sobriety under the policy of restriction now pursued. In Ajmer there were 152 in 1912-13, but only 62 in 1924-25. In the North-West Frontier Province convictions decreased from 96 to 21, and in Baluchistan from 65 to 40. There is I maintain absolutely no evidence of any abuse in the present use of liquor in these areas such as would justify so drastic a measure as prohibition. I would therefore ask the House to accept the amendment which I have proposed and which seems to me a much more reasonable course of action.

THE HONOURABLE MAHARAJADHIRAJA SIR BIJAY CHAND MAHTAB OF BARDWAN (Bengal: Nominated Non-Official): Sir, I must candidly confess that I do not like either the Resolution of my Honourable friend

Mr. Ramadas Pantulu or that moved as an amendment by the Honourable Mr. Brayne. I may say that I am myself a teetotalter; in consequence, the Resolution does not affect me personally. But I am always opposed to any Resolution which affects social reform being brought into a House of Elders like the Council of State. I should have thought that the elders of this House, being experienced human beings, would have realized that there are certain human failings which, however much one may desire that they should not be there, however much one may wish to bring man to the level of God, are not likely ever to go. Just like the sexual appetite, there are certain other appetites in man which have got to be satisfied. It is true we deprecate drinking, and we do not like to see a drunkard. But it is equally true that drink is a habit that has lasted since the world was created. I admit that to a Hindu like my friend, the Mover of the Resolution, there is, apart from any other sentiment, a religious sentiment against drinking. There is also the other side of the question that one does not like to see the habit of drink being on the increase in one's country. But I must say, Sir, that what the Honourable Mr. Brayne has pointed out is very true, and one cannot help admitting another fact here, and that is, that on the question of drink, at any rate, the eastern mind must differ in certain fundamental aspects from that of the western mind; and I am sure that my friend, even within the small area in which he wishes to bring in this total prohibition would allow Mr. Brayne or anybody else to have his whisky and soda, and would not consider that to be a sin according to the Shastras. What I think, therefore, Sir, is this that such legislation and such wishes should be severely left alone inside the chamber of a legislative body like this. If we have got any influence among our people, we can make them drink less, but I do not think that more than that is possible. After a hard day's labour in Bengal when the labourer goes to the toddy or Pachwari shop, from the humanitarian point of view I say is it quite fair to deny him entirely a drink? As I say, I am a teetotalter, but I feel that there are always two aspects of a thing, and because the other, the mere human aspect, appeals to me, I am unable to accept the Resolution of my friend; and the reason that I am not much in favour of the Resolution of the Honourable Mr. Brayne—although of course if the Government wish to put it forward, I for one will not oppose it—is this, that there is no true ring of sincerity in it. England, being a western country, realizes, knows, what the value is, even from the health point of view of a little drink: and I say that there is no true sincerity in the amendment proposed, and for that reason I do not favour that either.

THE HONOURABLE SETH GOVIND DAS (Central Provinces: General): I rise, Sir, to support the Resolution of my Honourable friend, Mr. Ramadas Pantulu. I am surprised to see, Sir, that even to such a beneficial Resolution an amendment is moved. It is really difficult to understand the official mind and its working. The Honourable Mover of the amendment has just said that, unless there is an urgent necessity, the Government should not interfere in such a thing. May I ask him, Sir, if this is not the most urgent thing in the country at present? The whole population of the country is suffering terribly on account of this evil. I have personal experience, Sir, of hundreds of my villagers and I venture to say that the majority of the population of the rural areas are suffering tremendously on account of this evil.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces: Nominated Non-Official): What about ganja and bhang in Jubbulpore?

THE HONOURABLE SETH GOVIND DAS: That is also a thing which requires consideration later on. That evil has not of course gone so far as this drink evil has; everybody will have to admit that. Well, Sir, I have seen, and it is my personal experience, that hundreds of villagers cannot reap their harvest, cannot sow their seeds at the proper time on account of this evil. And then, Sir, the Honourable Mover of the amendment says that, unless it is an absolute necessity, the Government should not interfere. Well, Sir, I think that this is the most vital issue in the country at present, and if the Government are going to neglect this, I think they are neglecting their first and foremost duty. Then, Sir, my Honourable friend, the Maharaja of Burdwan, has said that questions of social reform should not be considered in this House. He goes further and asks: "Will you hamper the wishes of the people? Would you like that a man toiling for a whole day who goes to a toddy shop should be prevented from going there?" Well, Sir, I would ask him, supposing after great toil a man wants to commit suicide, is he not going to hamper that? Well, Sir, if he will go a little deeply into the question, he will see that the people, though they do not commit suicide all of a sudden on account of drink, do so gradually, and many people, and I say many rich people and many Maharajas too have lost their lives on account of this evil. Then, Sir, it is generally said that such questions should not be brought into the Legislature and people should educate public opinion. I may point out that we were doing this very thing in 1920 and 1921 at the time of the non-co-operation movement. That is also my personal experience, Sir: I was myself picketing, I was a volunteer, and I went 12 Noon. to liquor shops and picketed. And, Sir, what came in our way? The Government. If the Government had not come in our way at that time, there would have been no need to bring this proposition in the House to-day. At that time in the name of law and order we were hampered and to-day when we bring up this question it is said that we should take public opinion into consideration. You cannot eat the cake and at the same time have it too. That is not possible.

Now, the Honourable the Mover of the Resolution has said that he will not say anything about America. Of course, Sir, we should not ignore America, because it is the only country where prohibition was tried. And what do we find? The Honourable the Mover of the amendment says that much can be said about America on both sides. I think, Sir, that much can be said on the side of the Honourable the Mover of the Resolution and less can be said on the side of the Honourable the Mover of the amendment. We find, Sir, that after 1920 when this policy was adopted by America, America has progressed by leaps and bounds in health, in morality and in material prosperity. The death-rate at that time in America was 17.6 per cent. And what is it to-day? It is 11.1 per cent. The percentage of students attending schools at that time was 73 per cent., now it has gone up to 90 per cent. The number of motor cars which Americans possessed at that time was 1 million, and to-day it is over 11 millions and the ownership of the Banks increased from 80 to 72.6 per cent. I admit that war profits and other things also are partly the reason for this prosperity. I do not deny that, but prohibition is also one

of the main reasons for the prosperity of America. There is no doubt of this at least in my mind.

THE HONOURABLE SIR MANECKJI DADABHOY: If you had come to Maiden's Hotel yesterday you would have seen of Americans something very different.

THE HONOURABLE SETH GOVIND DAS: I did not go to Maiden's Hotel yesterday, nor am I likely to go there in future. Then, Sir, I think what America could achieve in such a long time India can achieve in a shorter time, because, as the Honourable the Mover of the Resolution said, both from the religious point of view and from the point of view of social customs we are all opposed to this drink evil. With these few words, Sir, I support the Resolution of my Honourable friend Mr. Ramadas Pantulu and oppose the amendment which is merely a pious wish and a wish for which, I think, the Honourable the Mover of the amendment himself is not ready to do anything.

THE HONOURABLE SIR SANKARAN NAIR (Madras: Non-Muhammadan): Sir, I regret the Honourable Member who spoke on behalf of Government has ignored the great moral and social issues involved in this matter. We, in India, of both religions, Hindus and Muhammadans, loathe this drinking habit, we detest it and we want Government therefore to carry out this prohibition policy. It is in consonance with the highest dictates of Christian civilization. The policy of a foreign Government in India should never be to lag behind the moral conscience of the country; if they pass a law to-day that there should be prohibition throughout the country from the Himalayas to Cape Comorin the moral conscience of the country will support them. Why should not they do that? There have been detestable practices in this country supported by religion which were being followed during the time of the East India Company and later. They have been silently, quietly, without anybody saying anything, swept away by the Penal Code. Nobody raised a voice against it. The Indian Penal Code stood in the way of those detestable practices and they have all been swept away. Suppose you pass a law of prohibition in the country, then every social leader, every reform leader, will take advantage of it. They will feel that the Government are behind them. They can go on preaching, as my friend said he had been doing, social reform. This law will be a power behind them and they will be able to say: "Don't do the thing. This is the right thing and the Government are with us." Why do you say you should not interfere with the freedom of the people? Don't you interfere with the freedom of people when they want to commit a thing which is not right? If you say you will not interfere, you are ignoring the history of social reform in England for years past. Don't they in England prohibit the sale of liquor during certain hours and to certain classes of individuals? Don't they prohibit obnoxious practices in England and in India? What is the use of saying then you will not interfere in a matter of this sort if we feel that it is not the right thing to do? To me it appears totally absurd. There were just one or two words which the Honourable Mover said with reference to this great moral issue. He said it is "not desirable." I do not know why he said that and why it is not desirable from this moral

[Sir Sankaran Nair.]

standpoint he does not say. Does he mean to say that the moral consciousness of England is against prohibition? Otherwise why should it not be carried out? Apart from that fact, Sir, they say it is not practicable. I do not base my argument on practicability. If the thing is right, if it is necessary in the interests of morality, if it is necessary in the interests of the health of the people, if it is necessary for the future well-being of future generations of the country, the Government must do it. A Home Rule Government will enforce it. I said I do not rest my argument upon that, but still I may say a word against it. What did they do with the salt manufacture? Didn't the Government stop it? Didn't people do everything that they could in order to evade laws? If they can do that in a matter which brings them revenue, is it not because this will deprive them of revenue that they do not take the necessary steps which are necessary for the enforcement of that moral law? I submit there should be no hesitation. Muhammadans will support you, Hindus will support you. Suppose you pass a law that no liquor should be sold to a Muhammadan, male or female. Do you think any Muhammadan will object to it? Suppose you pass a law that no liquor should be sold to a Brahmin. Do you think any Brahmin will object to it? They will support it wholeheartedly. Do you think they will oppose a law that no liquor should be sold to women? The whole country would support you. If you pass a law that no liquor should be sold to a child or a boy, do you mean to say that the whole conscience of the country would not support you? What is the meaning then of saying that you will not interfere in the matter of the liberty of the people? I do not understand that. I do not speak of Europeans. They may have their liquor. But I say, so far as Hindus and Muhammadans are concerned, we want it. We want it on religious grounds, we want it on moral grounds, we want it on social grounds, we want it in the interests of the health of the country.

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative):
 Sir, I rise to oppose the proposition as moved and to support the amendment as it has been moved also, and the reason why I do this is that the view which the Government of India take, as embodied in the amendment, to my mind represents the eternal policy that we have followed in India. Mention has been made about Hindus and liquor not being sold to Hindus and all that sort of thing. As a matter of fact, this craving for liquor or intoxicant is implanted in man by nature, and no amount of legislation or no amount of pious cursing will take it away. It cannot be eradicated. In the Hindu religion, of which I can speak with some knowledge I believe, what did they do? They followed the same policy as the Government of India are following now. The Government of India want to discourage drink by imposing taxes and making it difficult for people to obtain it. Manu did the same thing. He says if you want to drink "*Sowthramanyam suragrahaha*." When you perform the sacrifice of Santramani you may drink. We are in modern times, but even then when you perform some religious duty you have a glass of champagne or whisky. Then there are others who in the performance of their duties do require liquor. Are you going to prohibit this? Mention was made of religious ceremonies. I do not think my friend has heard of the ceremony called Communion, in which the wine is changed into the blood of Christ. Wine is a very ancient part of the ceremonies which have entered into

religions. Apart from the religious aspect of the matter, take the case of the poor working man who has no other comfort but a glass of wine to drink after his hard day's work. He has no palatial house to live in, no one to shampoo his legs when he returns home, he has a glass of wine and goes to sleep. You want to deprive that man of the comfort of a glass in the evening.

My friend said that poverty has increased because of drink, and the death-rate has also increased. Every day we come nearer to death. We cannot help it I suppose, no matter whether we drink or not. From the time of birth you are approaching death nearer and nearer. (*An Honourable Member*: "But by drink still nearer!") I do not think so. If drink brought death nearer, how is it that doctors prescribe it under certain circumstances? There are prescriptions given in the form of liquor. In the ancient days they gave you stimulants that lasted six months, one dose. My friend thinks that death is hastened by liquor. I say that death is delayed by liquor. When a man gets a cold you give him a strong drink of whisky. When a man has been drowned you give him a glass of whisky and he comes round. You prefer a man to die rather than administer a glass of wine to bring him round. These things are carried to extremes always by fanatics. My friend talks of his personal experience in picketing. They called it non-co-operation and non-violence, but non-violence meant shutting of the doors and shouting everybody down. They call it non-violence but in my language I call it very great violence. They were very violently intolerant of the opinions of others. My voters were shut up in a room and they would not let them come out and vote for me. I do not say everybody should get drunk. That is not my idea nor is it that of the Government of India. We want reasonable hours, a reasonable limit. A man is entitled to enjoy what God has provided, so that what right have the Government to take away what little comfort there is in life, especially in the lives of poor people? In this world a man cannot do what he wishes to do. This is about the only thing a man may do. He can drink in his own room as much as he pleases and nobody can interfere with him. If you walk on the road you must walk on the left or get run over. Do whatever you like the law comes in. I object to the law being permitted to penetrate to my bedroom.

Another thing that has been said is that—but on second thoughts I need not go into the question. I think America is more wet to-day than it was before. In my nature and in the nature of many people, there is an element which prompts one to do a thing because it is prohibited. If a thing is prohibited there is all the more reason for doing it. I think prohibition with regard to liquor is just the way of increasing the evil of drink, and prohibition ought therefore never to be carried out at all. In the olden days they made the performance of religious observances a sort of check, and common sense is also a good check. If my friends can go about and persuade people not to drink, that would be the best way to prevent the evil. If you prohibit them they will go into the forests and distil liquor. What can the police do? Nor can you watch every tree. Toddy was mentioned by the Honourable Mover. Toddy is a food, it is not a drink. You take it from the tree. Many people live on it. So is the Mohawa flower. People eat it and during famine times that is the only food that the poor people get. You want to stop them. This is civilisation gone mad. Civilisation becomes a fad when you carry it to extremes.

[Mr. G. S. Khaparde.]

I therefore support the amendment of my Honourable friend, Mr. Brayne. It is about the wisest policy that has been followed up to this time from the days of Manu.

THE HONOURABLE RAO SAHIB DR. U. RAMA RAU (Madras: Non-Muhammadan): Sir, it is admitted by all that alcohol has got very bad effects on the body. It is admitted also, by scientists and doctors, religionists, moralists and socialists that alcohol has a bad effect on the mind, because 50 per cent. of the inmates of the lunatic asylums are those addicted to drink. It affects the stomach because it retards digestion. It poisons the blood and instead of preventing disease, alcohol predisposes towards disease. In fact alcohol is poison to every part of the body, not only for the human body but also for plants and lower life, so that alcohol is not good for anybody and any thing except when used as a chemical. It shortens the life of individuals, it makes men mad, it drains a man's purse, it makes him neglect his home, and altogether it is an extremely bad thing which ought not to be used at all. My friend, the Honourable Maharajahdiraja of Burdwan, said it was just like sexual appetite. Everyone has sexual appetite which is a physiological function, whereas the appetite for alcohol is pathological and is not common to everyone. I challenge him to prove it.

Then again, he said "the labourer after his day's work when he comes home wants some comfort". Sir, when a labourer comes home after a heavy day's work, with his body aching, what he requires is some food which will strengthen and revive him and not something which will intoxicate him. Alcohol is a poison which intoxicates and instead of that he ought to have coffee or milk or tea, which will revive him and strengthen his body. So, to advocate that a labourer should take alcohol at the end of his day's work is one of the most dangerous things any one can do.

Then, Sir, it is said that doctors use alcohol for their patients. But those days are gone. Nowadays, doctors do not use alcohol. I have been practising for the last 30 years and I have never used even a drop of alcohol for my patients and they have all recovered without it. On the other hand, patients addicted to alcohol cannot withstand cases of serious illness, like pneumonia. So, alcohol is no good even for sick people. (*An Honourable Member*: "Well, doctors use poison also.") I know that, Sir, but is that a reason why you should permit all the people to take alcohol. Another question has been raised about the eating of opium and taking of cocaine. I know a few years ago the habit of eating cocaine was the order of the day in Calcutta. But now all that has been stopped owing to the law prohibiting its sale to the public and people are not in the habit of taking cocaine at all now. The only plea put forward is the loss of revenue from alcohol. Sir, it is owing to alcohol that 50 per cent. of the people in hospitals are suffering; 50 per cent. of our criminals are alcohol addicts; while our lunatic asylums furnish further evidence of the terrible effects of this evil. And I submit that to some extent the loss of revenue by abolishing drink could be made up by the savings effected from hospitals, jails and criminal administration. Besides, Sir, this revenue is obtained from a sinful and immoral traffic which must be put a stop to.

Then, Sir, most of the civilized nations of the world have adopted a policy of total prohibition and have succeeded in it. Here in India we are

still considering and wavering between total prohibition and moderate drinking. The amendment tabled by my Honourable friend Mr. Brayne advocates a policy of moderation in drink. The Honourable Member who has moved this amendment has conveniently forgotten the fact that there is no middle course in the use of alcoholic liquors. Moderation in drink is the first stage, the initial stage, and when a man begins to drink at first in moderation though, overcoming all his fears and prejudices, he gets a craving for it which it is impossible for him to give up during the rest of his life. If a man takes one peg to-day, he will want to take two pegs to-morrow in order to create the same effect, and three pegs the day after and so on; he goes on multiplying. So the habit of drinking must not be encouraged. And to say that the policy should be one of promoting and ensuring moderation in the use of alcoholic liquors is meaningless and mischievous. I do not blame the Mover of the amendment for it, because that is the mentality of the Government. The fact is that the Government are not prepared to part with the substantial revenue derived from excise. The Indians are as a nation sober, and the mere withdrawal of temptation from their midst is enough to make the country dry in no time. We have had a clear indication of it in the days of the non-co-operation movement when the magnetic influence of Mahatmaji made even the ignorant people abstain from drinking, caused a tremendous fall in the excise revenue and made the Government restless and uneasy for a time. If only the Government had then co-operated with Mahatmaji in this matter we would have visualised the dawn of a dry India already. Not only did the Government not co-operate with him then, non-co-operator as he was and still is, they also actually promoted drinking by putting peaceful picketers into prison in the name of law and order. Well, Sir, the Government may ask, "how do you propose to compensate the loss of revenue from excise, if we adopt the policy of total prohibition?" We will show them the means of doing it. Apart from all this a dry India is an asset, a valuable asset by itself, and is worth more than all the revenues of India put together. The Indian nation will then be stronger and wealthier and feel prouder and happier and could bear all this loss without a murmur.

In conclusion, Sir, I would appeal to the Government, in the words of the daily prayer, "Lead us not into temptation, but deliver us from evil" and ask them to accept the Resolution. With these words, I strongly support the Resolution moved by the Honourable Mr. Ramadas Pantulu.

THE HONOURABLE SARDAR SHIVDEV SINGH OBEROI (Punjab: Sikh): Sir, I gladly associate myself with the Honourable Mover of this Resolution. I think it my sacred duty to do so. I believe in my heart of hearts that it is the sacred duty of every one who feels sympathy for his fellow-beings to take part in any legislation which is meant to serve the purpose of prohibition of alcoholic drinks. It is the unanimous verdict of the world, socialists, moralists and religionists, and even of Governments, that it is an evil and it is a great evil. It must be keenly felt that this evil has very drastic consequences upon a poor country like India. It has been said that this reform must be effected by social reformers. Undoubtedly social reformers must try to eradicate this evil from society, and they are doing it; but is it not a fact that the foremost duty of Government is to alleviate the social, moral and economic condition of the people it governs? Should the doors of Government be closed against any legislation put

[Sardar Shivdev Singh Oberoi.]

forward in its Legislature to eradicate a social or moral evil from society? Should the Government not take any part or legislate with regard to the alleviation of the social, moral or economic condition of the people? It has struck me many times how it is that the evil of drink has been pronounced against unanimously by the prophets who have come to this world to improve the moral tone of the people, and it has been pronounced as an evil by Governments. How then has it captivated the mind of man to such an extent that in spite of all these efforts people are still addicted to this evil habit? I would call it the weakness of human nature. I would attribute it to the fact that real virtue is the lot of but few. As regards the point that this is the work of social reformers I would say, as the Honourable Sir Sankaran Nair has said, that the English Government itself has made laws in England for the purpose of putting a stop to the social evils of the country. And in every country wherever it has been considered necessary to alleviate or improve social conditions by legislation, legislation has been passed for the purpose. Take, for instance, education. It is a good thing; it has been considered necessary to educate the people and to develop their intellectual faculties. But the masses generally have not taken kindly to the idea of education, and so we find that wherever primary education has been considered necessary for the people legislation has been passed for compulsory education, even against the will of the people, and in time people have come to obey such laws gradually and naturally. Will the Muhammadans object? I say, no, emphatically. Will the Hindus object? I know if a law for the prohibition of the sale of alcoholic drink is introduced, I would say emphatically that they would not object. Will the Sikhs object? I would say that the Sikhs will not object at all because in my community this is considered a very great evil and they consider that it leads to many sins. And I would like to place another view before the House and that is this, that I am sure that if the use of alcoholic drinks is reduced, is prohibited altogether, it will certainly reduce crime in the country. It has a great effect on the criminal tendencies of human nature. Alcoholic drinks accelerate to a very great extent the animal part, the animal nature of the human mind, and that leads to many crimes. I am sure in my heart of hearts that if prohibition is enacted in the country, it will certainly lead to a very great reduction in crime.

I have tried to follow the arguments of my Honourable friend, Mr. Brayne, who has put forward an amendment that "a policy designed to promote and ensure moderation should be adopted". This has not been very well understood by me—how any policy can be designed to promote and ensure moderation. Moderation is such a word as has no proper definition I should say. Just a peg of whisky may be moderate for one individual, while half a bottle may be for another, while a third gentleman may consume a bottle and still he would say that he is taking it moderately because he is in his senses after taking a full bottle. This is no proper definition, and I fail to understand how this policy of moderation can be properly designed. He has tried to convince the House by giving figures that the use of country liquors has been reduced to one-half of the consumption in the year 1912-13. Of course as the figures come from the Honourable Government Member, they should be taken as quite correct, but it may be quite possible that if the sale of country spirits in the shops has been reduced, illicit distillation may have increased. It may be argued against me that if by the reduction in sales illicit distillation has

increased, by prohibition it will increase by leaps and bounds. It is an argument which can be very well set against this point, but I beg to ask, is it impossible, is it impracticable with the very wide hands of the law of the Government, to entirely checkmate illicit distillation? I would say no. It is not impossible. Government can check illicit distillation of country spirits. With these few words, Sir, I support the Resolution of the Honourable Mr. Pantulu.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN (Punjab: Nominated Non-Official): Sir, I rise as I think that a Muhammadan should also take part in this debate. When speaking as a Muhammadan, of course I have got no way out but strictly to bow to religion. In our religion, liquor is prohibited—and thus we have to give no arguments at all, as some of my friends have been doing. When it is ordained, it is ordained; and I think that from the Muhammadan point of view, if the Resolution was adopted, the whole country would be pleased (Hear, hear.) The Honourable Mover of the Resolution and I do not generally see eye to eye, but this is a time when I must strongly support him.

THE HONOURABLE MAJOR-GENERAL T. H. SYMONS (Director-General, Indian Medical Service): Sir, this discussion on alcohol appears to have assumed aspects which I never anticipated when I came to the House this morning. It has been approached from all sides—from the revenue side, from the poison side and by my Honourable friend, Dr. Rama Rau, from the physiological side. As regards the revenue side, I have nothing to say. But I would like, if I may, to draw the attention of the House for a few minutes to regard alcohol from two aspects, from its physiological side and from its poison side. Now it has been said from the earliest times, "Give a dog a bad name and hang it", and most of the speakers on alcohol have dealt with it as a poison; they have left out, in their discussion, considering the question that alcohol has a physiological side and is a food. Alcohol is a poison just like all other excess foodstuff is poison if taken in excess. You take tea in excess, it is a poison; you take coffee in excess, it is a poison, you take rice in excess, it is a poison; every article of food or drink consumed in excess, if not taken in moderation, may be considered straightaway as poison. I should state, therefore, that it is not fair to assume that alcohol straightaway is a poison. I would rather, if I may, approach it from its physiological side and from its value as a food. Let me state straightaway that, in moderation—and what I am speaking is in favour of the amendment—that in moderation, alcohol is decidedly a food. (*The Honourable Rao Sahib Dr. U. Rama Rau*: "Question?") When taken in moderation, 98 per cent. of alcohol is absorbed or taken into the system—whether it be whisky, beer, toddy or arrac—98 per cent. of that is absorbed by oxidization. Again, it has been proved and proved by a German, named Kaufmann, that actual starvation may be prolonged and the burning up of the normal tissues of the body may also be stayed by the use of alcohol. (*The Honourable Rao Sahib Dr. U. Rama Rau*: "An old theory.") I am afraid I disagree with you. I think Dr. Rama Rau stated that alcohol was considered to be a poison. I think he has not read the New Testament where we are told by St. Paul, "Take a little wine for your stomach's sake." Again, wine taken in moderation is described as a stimulant to the gastric juices; it aids digestion, thereby it aids assimilation, and therefore it aids bodily nutrition. I admit, if taken in excess, it is a poison: I have already said so. Again my Honourable

[Major-General T. H. Symons.]

friend, Mr. Khaparde said, "Why should you deprive a man of his alcohol after a day's work?" I take it that the Mover of this Resolution is out to protect the larger proportion of the population of Indians, namely, the ryot. The ryot has very hard work to do. The physiological call on his body is for something to overcome the nervous irritability as the result of the excessive work that is done. And we know physiologically alcohol is a nervous sedative. Alcohol in moderation, it does not matter in what form, does overcome nervous exhaustion. (*An Honourable Member*: "Question?") My Honourable friend will realise that after a hard day's work or when returning from a long day's shoot a little whisky is a sedative when taken in hot tea. Again, it has been said that 50 per cent. of the inmates of the mental hospitals are the results of drinking. I cannot refute the figures, but I join issue on that point. I am sure the Honourable Member is not correct in what he has stated. Then again he said that doctors do not use alcohol. I am afraid I must again join issue with him. We all know—I am afraid it is becoming a medical discussion—we all know that in serious diseases, especially typhoid, or in acute diseases like pneumonia, when certain complications arise, the medical officer falls back upon alcohol and prescribes small doses of the best variety as a cordiac stimulant and also as a food. The general effect of alcohol on the body is to conserve the body fat and the body proteins; and again, as I have said, alcohol is burnt up by oxidization, and by oxidization it adds force. I would therefore ask the House to support the amendment and I would like to support the statement made by the Maharaja when he says, that to his mind, it is a question of the education of the people. Alcohol in moderation is needed, and we should not deprive them of their liquid which is at times essential.

THE HONOURABLE MR. V. RAMADAS PANTULU: Sir, with your leave I wish to say a few words on the amendment. My Honourable friend, Mr. Bayne, was frank enough to admit that his amendment did not indicate the slightest change in the policy pursued hitherto by the Government of India. I am glad of the confession. What I want is a real change in the policy. Therefore, it is evident that I cannot accept the amendment. His first objection was on the score of not resorting to compulsion by the Government. That was very effectively answered by Sir Sankaran Nair and other speakers. Therefore, I do not propose to say anything on that issue. If it is a moral issue, if prohibition is good, I do not see why compulsion should not be resorted to. A very curious argument was put forward by the Honourable Mr. Khaparde that if we prohibit a thing, there will be a tendency to do it. He might as well say that the Ten Commandments will lead to an increase in crime. Because it is said "Thou shalt not commit adultery", therefore people would commit adultery. I cannot understand that at all.

With regard to America being more wet or less wet, I have already said that I believe in the statement that it is considerably less wet and it is very much more dry. Therefore, I wish to join issue on that question with the Honourable Mr. Khaparde. In this connection I may clearly point out that Dr. G. W. Saleeby in a very remarkable speech which he delivered at the International Conference in Lausanne five years ago warned the historic European nations that unless they resorted to prohibition and removed the racial poison of alcoholic drinks, the historical

European nations will show a racial decadence, while the nations of North America will show a racial ascendance. That speech is worth reading and those who jeer at America's dry policy will do well to read that speech.

With regard to persisting in the policy of enhanced taxation and thereby reducing consumption, I wish to point out, Sir, that the present financial arrangements under the constitution have rendered even that policy somewhat more difficult. Recently we have had two examples in Bombay and in the Punjab. The Bombay Government, on the advice of the Ministry in charge of the Excise Department, have put up higher excise duties upon country-made liquors. They have increased them so enormously that it was found that the duty on imported foreign liquor was much less, and therefore foreign liquor could be imported into Bombay at a much cheaper price than country liquor and the consumption of foreign liquor increased correspondingly to compensate for the decrease in that of country liquor. The Government of Bombay immediately resorted to a lowering of their revenue upon excise. A similar thing happened in the Punjab. Therefore, the financial adjustments between Imperial and Local Governments have rendered the traditional policy of deriving the maximum revenue in the different provinces to reduce consumption, according to local conditions also somewhat more difficult; and there is a continuous conflict between the Government of India and the Provincial Governments, because the import of foreign liquors is an income of the Central Government, while the provincial excise is the income of the provinces and a harmonious working of excise policy is impossible when the Government of India have the upper hand and when in fact all the financial proposals which emanate from the Reserved or the Transferred Halves are subject to the approval of the Government of India. Therefore, the Government of India really exercise their supreme control over the whole question. Even the liberty given to the provinces is illusory; it is incapable of being exercised.

Then, a word with regard to the Honourable Major-General Symons' remarks about alcohol having a food value if given in moderation. I wish he had quoted some authority. I know he is a great authority himself, and I feel proud that he comes from the province from which I come, and as Surgeon-General of my province he has had a very great reputation as a medical man. Nevertheless I am bound to question some of his statements, because I find that eminent authorities have said quite the contrary. I only ask my Honourable friend to refer to a few pages of a little book written by my friend Mr. John Mathai who is now on the Tariff Board and see what the conclusions of the British Committee on alcoholic consumption appointed in 1916 say. The recommendations were bodily embodied in that book; the recommendations were to the effect that alcohol had no food value and that the oxidation caused by alcohol is more injurious than helpful to the human system. Mr. John Mathai wrote that book more as an apologist of Government. Nevertheless he says, and the other authorities that I have cited, also say, that the physiological effects are injurious. It has very deleterious effect on the birth-rate quantitatively and qualitatively and this is borne out by the very greatest authorities; and, God willing, we shall take steps to send a copy of this debate to the Association in England; we shall get the opinion of the best medical authorities in England and try to renew the debate next year.

I do not wish to take up any more time, but I will only say one word in conclusion. This question of revenue was very definitely raised by

[Mr. V. Ramadas Pantulu.]

Lord Meston before the Joint Parliamentary Committee and he pointed out that it had to be faced some time and warned the Government of India to be on their guard in this matter. I do not know what the Government of India have done to meet the warning of Lord Meston. I would urge that in this country the policy of prohibition is very easy, because public sentiment favours it. My British friends may find it difficult to advocate a policy of prohibition in England. I know it is almost impossible. The vested trade interests there are very large; the local associations are linked up with the national federation of drink, and trade is so influential as to influence Parliament. The evil had gone so far as to lead Lord Roseberry to say that if the State does not control the liquor traffic, the liquor traffic will control the State. You do not find such conditions here. There are no vested interests, and the people cannot influence the Government. I therefore appeal to the Government to consider the whole question very calmly, though they are not able to accept my proposition now and to deal with the matter as a moral issue more than as a fiscal issue.

THE HONOURABLE THE PRESIDENT: The original Resolution was:

"That this Council recommends to the Governor General in Council that a policy of prohibition of the use of alcoholic liquors should be adopted in the local Administrations under the direct control of the Government of India."

Since which an amendment has been moved:

"That for the original Resolution the following be substituted, namely:

This Council recommends to the Governor General in Council that a policy designed to promote and ensure moderation in the use of alcoholic liquors should be adopted in the local Administrations under the direct control of the Government of India."

The question that I have to put is that the amendment moved by the Honourable Mr. Brayne be substituted for the original Resolution.

The Council divided:

AYES—21.

Bell, The Honourable Sir John.
Bijay Chand Mahtab, The Honourable
Maharajadhiraja Sir, of Burdwan.
Brayne, The Honourable Mr. A. F. L.
Charanjit Singh, The Honourable
Sardar.
Corbett, The Honourable Mr. G. L.
Dadabhoy, The Honourable Sir
Maneckji Byramji.
Das, The Honourable Mr. S. R.
Evans, The Honourable Mr. F. B.
Forest, The Honourable Mr. H. T. S.
Froom, The Honourable Sir Arthur.
Gray, The Honourable Mr. W. A.

Habibullah, The Honourable Khan-
Bahadur Sir Muhammad, Sahib-
Bahadur.
Haig, The Honourable Mr. H. G.
Khaparde, The Honourable Mr.
G. S.
McWatters, The Honourable Mr. A. C.
Misra, The Honourable Pandit Shyam
Bihari.
Stow, The Honourable Mr. A. M.
Symons, The Honourable Major-
General T. H.
Tek Chand, The Honourable Diwan.
Thomas, The Honourable Mr. G. A.
Wacha, The Honourable Sir Dinshaw-
Eduji.

NOES—14.

Desika Chari, The Honourable Mr. P. C.
 Govind Das, The Honourable Seth.
 Mehr Shah, The Honourable Nawab Sahibzada Saiyad Mohamad.
 Morarji, The Honourable Mr. R. D.
 Moti Chand, The Honourable Raja.
 Mukherji, The Honourable Srijut Lokenath.
 Oberoi, The Honourable Sardar Shivdev Singh.
 Ramadas Pantulu, The Honourable Mr. V.

Rama Rau, The Honourable Rao Sahib Dr. U.
 Roy Choudhuri, The Honourable Kumar Sankar.
 Sankaran Nair, The Honourable Sir Chettur.
 Suhrawardy, The Honourable Mr. M.
 Umar Hayat Khan, The Honourable Colonel Nawab Sir.
 Zubair, The Honourable Shah Muhammad.

The motion was adopted.

RESOLUTION *RE* FORMATION OF A CENTRAL ROAD DEVELOPMENT FUND.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY (West Bengal: Muhammadan): Sir, I beg to move the Resolution which stands in my name and which runs as follows:

"This Council recommends to the Governor General in Council that the proceeds of taxation on motor transport be earmarked in a separate account for Road Development and that a Central Road Development Fund under the Government of India be formed out of which yearly grants be made to each Local Government according to its needs and necessities for the development of quicker transport in rural areas for the benefit of the agriculturist in India."

Sir, it is with considerable diffidence that I rise to address the House for the first time. But I do so impelled by a sense of duty which I owe to my electorate. I hesitated a good deal before sending in a Resolution of this kind, but I hope the deplorable condition of the Indian agriculturists is grave enough to secure the sympathy and support of this House.

Sir, I hope the House will concur with me if I say that India is mainly an agricultural country, and agriculture gives occupation to a large majority of the population of the country. It has been estimated that nine-tenths of the rural population of India live, directly or indirectly, upon agriculture. Sir John Strachey says:

"It is probable that 90 per cent. of the whole population are so closely connected with the land that they may properly be called agricultural."

Taking into account this immense importance of agriculture, the Government of India have from time to time enquired into the condition of the Indian peasants. The appointment of the present Royal Commission on Agriculture fully justifies our assumption that India is purely an agricultural country and adequate steps should be taken to develop its agricultural resources and prosperity.

I have no doubt that the Royal Commission after a careful and exhaustive enquiry will make proper recommendations for the improvement of agriculture on most modern lines, and we cannot be too grateful for their disinterested labours.

Sir, I may take it for granted that none of the Honourable Members of this House would question the supreme importance of motor transport in this twentieth century—the century of scientific development. Even those of my Honourable friends who delight to be known as Swarajists and who generally look at public questions from

1 P.M.

[Mr. Mahmood Suhrawardy.]

a different angle of vision will not deny its economic utility in the amelioration of the village masses. Its utility for multifarious purposes is increasingly felt and appreciated by the village people themselves. In large commercial cities, cars fitted with solid tyres are greatly used as vehicles for transport purposes. The same vehicles may be utilised with great advantage even in rural areas. But the chief impediment for the successful introduction of motor transport in rural areas is the absence of a network of metalled roads and bridges throughout the country. It is common knowledge that there are not many good metalled roads in the neighbourhood of villages and, as a result, we find the villages shut out from the more progressive parts of the country, and if I may say so, they are living in a state of splendid isolation. In consequence, their outlook is obviously narrow, their habits primitive, their standard of living necessarily low and their ideals, if any, are uncommonly poor. From the economic point of view their condition is deplorable, they are literally hewers of wood and drawers of water. The introduction of cheap motor transport facilities, I am convinced, will go a great way to raise them from this low state of insularity and strengthen their economic condition all round.

The days when the villages were considered to be self-sufficient are past and an era of "looking ahead" has begun. There is everywhere a new aspiration, new ideals, and new wants. The village industries cannot develop further than is needed to minister to the simple wants of a community of peasants. For want of cheap and adequate transport facilities, the village artisan or cultivator cannot market his goods in the best places and earn a better profit. In fact, he is not much affected by a greater demand and higher price for his goods in any distant markets. On the other hand, in those rural parts where transport facilities are greater, the villager is no longer absolutely dependent on the local dealers. As the development of means of transport is still far behind the actual requirements of this vast country, the self-sufficiency of the villages is impaired in most places. Poor, ignorant and conservative in their habits and outlook, the village peasants and artisans know very little of the world beyond the confines of their villages and hamlets, and cannot therefore turn to good account the economic advantages that may present themselves outside the narrow circle of their familiar fields. In the absence of cheap transport facilities, the pursuit of hereditary professions and small scale production are the natural result of this state of things.

Sir, my Resolution is therefore intended to improve their social and economic condition. Sir, I feel keenly for their present low economic condition, as many of my Honourable friends also do. Their low economic position is the root cause of many of their grievances. One of the surest ways to improve their present low position is to secure to them cheap and adequate transport facilities and thus second the noble efforts of the Royal Agricultural Commission to improve their lot. By providing easy, cheap and quick communication, we would enable the surplus population in congested areas to move towards more sparsely populated parts where labour alone will be needed to make the soil yield bountiful harvests. In a word this would secure sufficient mobility of labour. It would also help to equalise prices in agricultural produce and cheapen the imported goods.

Sir, before I conclude, I may be permitted to suggest that the heavy import duties on motor vehicles are to be considerably reduced as recommended by the Taxation Enquiry Committee contained in paragraph 419 at page 303 of its Report. A heavy taxation might bring in a large revenue to the Government coffers, but it would act as a restraint on quicker and more convenient transport in rural areas. I gather from their Report that the present duty is about 30 per cent. The reduction of this import duty is sure to give ample facilities for the increase of trade in rural parts and the Government would not have to incur any loss in matters of revenue. The loss of revenue under this head will be more than compensated for by other kinds of income derived from duties on motor accessories to vehicles. I would therefore suggest that the Government should reduce the import duty on motor vehicles to an appreciable extent, and should earmark the revenue derived from this source exclusively for the development of roads and the improvement of rural transport. To attain this object the Central Government should establish a Central Road Development Fund and should allocate grants annually to each Local Government according to its needs and necessities for the development of quicker transport in rural areas.

Sir, I would lastly say that, in view of the immense importance of the subject, I commend my Resolution to the careful consideration of this House.

THE HONOURABLE SIR ARTHUR FROOM (Bombay Chamber of Commerce): Sir, the thanks of this Council are due to the Honourable Mr. Mahmood Suhrawardy for bringing forward this Resolution on the question of road development in India. To my mind it is a subject which has been overlooked far too much in the past. I cannot over-emphasise the importance in which we all hold it and I recommend a close inquiry into it in the future. While, however, I am in accord with the object which my Honourable friend has in view in bringing forward his Resolution, I do not agree with the wording of the Resolution.

I propose, Sir, to move an amendment. The amendment I wish to move is:

"That this Council recommends to the Governor General in Council to appoint a Committee, including Members of both Houses of the Central Legislature, to examine the desirability of developing the road system of India, the means by which such development could be most suitably financed, and to consider the formation of a Central Road Board for the purpose of advising in regard to, and co-ordinating the policy in respect of, road development in India."

Sir, the Honourable Members of this Council will at once recognise that, in the amendment I am moving, there is no direct antagonism to the Honourable Mr. Mahmood Suhrawardy's Resolution, but that we both have the same object at heart, which is an effective and progressive development of the roads in this country. Where the Honourable Member and I differ, if indeed we do differ, is, as I have already said, as regards the means by which our object can best and most readily be secured. It seemed to me on reading the Honourable Member's Resolution that the Government might find some difficulty in adopting it as it stands, and my amendment recommends to Government a step to be taken in order to tackle efficiently this most important problem. In his admirable speech the Honourable Mr. Suhrawardy has placed before us the necessity for the development of our

[Sir Arthur Froom.]

roads, and I will not therefore weary the Council by going over the same ground. I would like however to emphasize one or two points.

The improved roads such as we ask for would not compete with the railways but they would act as feeders to the railways, not only to the main lines but they would also act as feeders to the small lines which connect with the main lines. It has been stated that the present system of bullock carts, travelling over bad and indifferent roads, enables the railways to tap a productive area extending only to some 20 miles on either side of a railway line. Now, Sir, given good roads, capable of sustaining motor transport, that agricultural area should be and would be increased fourfold, to the benefit of the agriculturists and to that of the railways alike.

Next, Sir, improved road development, in addition to opening up new areas for cultivation, would provide by means of motor transport better living conditions for the agriculturists; they would be able to live away from congested areas and they would at the same time be in closer touch with the larger towns. Education would spread, and increased employment would be provided.

Sir, I could enumerate the advantages of the development of road communications for a very long time, but the advantages must be so apparent to Honourable Members that I will not say more now. The present position in this country is that, as yet, little or no advantage has been taken of the modern advancement in motor cars, motor lorries and in motor transport generally. Pending the manufacture of motor vehicles in this country, which I hope will be arrived at some day, India can draw all her requirements from overseas, but what would be the use of importing commercial motor cars without sufficient good roads on which they could be employed? Not only have we to improve our existing roads, but we have to build more roads.

Now, Sir, I invite the attention of Honourable Members to the wording of my amendment. First of all, I am moving that this Council recommends the appointment of a Committee. I do not suggest that the Committee should be made up solely of Members of the Central Legislature, as I recognize that on such a Committee an expert or experts might be most advantageous. Then the Committee is desired to examine the desirability of developing the road system in India; about this I think there should be no question. The finances then will have to be considered, and for that reason there is room on the Committee for a representative of the Finance Department. I do not lay down that the whole of the import duty on motor vehicles should be diverted to a road fund, nor do I insist here that the excise duty on petrol should be so dealt with, though it might well be, but I suggest that the Committee should examine this question; funds must be provided. Lastly, the Committee is desired to consider the formation of a Central Board. In putting forward this, I do not in any way propose that the prerogative of the Provincial Governments should be interfered with unduly, roads being a provincial subject, but it will be necessary to have a Central Road Board to co-ordinate the policies of the various provinces and to advise and help them towards the common end of a satisfactory road system throughout India.

One point more, Sir—I wish to revert to the question of funds. The proposal which the Mover of this Resolution has at heart and which I, in

moving my amendment, have equally at heart is a *productive* one, and this I am sure will appeal to the Finance Member. Any funds earmarked for the development of roads in this great country of India will come back a hundredfold in the shape of increased agricultural prosperity, a prosperity which, as my Honourable friend has already pointed out, a Royal Commission is at present touring the country in order to promote. Sir, I have much pleasure in moving my amendment.

THE HONOURABLE MAHARAJADHIRAJA SIR BIJAY CHAND MAHTAB OF BURDWAN (Bengal: Nominated Non-Official): Sir, I am very suspicious of both these Resolutions. As regards Mr. Suhrawardy's Resolution, it is an impossible one. We cannot earmark the proceeds of taxation on motor transport in the way he suggests without undue interference with the rights and privileges of District and Taluqa Boards. We cannot earmark the proceeds without interfering with provincial revenues, and therefore the matter requires very serious consideration before we can proceed any further. In fact, this is a matter on which Local Governments need to be consulted, and consulted very carefully. On paper, Sir Arthur Froom's Resolution seems to be a very plausible one, and certainly if a Resolution had to be adopted, it would be better to appoint a Committee to go into the whole question of the desirability of developing the road system of India. But if it was only a question of opening up more roads and highways and of adding to those highways feeder roads from the mofussil, one would be inclined to ask why should not each province be left to do so and to go into its requirements? But where the danger lies is this, that there are road and public works cesses in different provinces which are levied for the maintenance of roads and which are nowadays handed over by Local Governments to local bodies to utilise them for the improvement of communications in the interior. If now we were to start a Central Road Board it would mean asking us without due consideration to commit ourselves in some form or another to the possibilities of a new source of revenue, of a new form of taxation, and I am not prepared to do so at this stage. I am therefore unable to accept either the Resolution or the amendment unless from the Government benches I can hear that there are cogent reasons for accepting the latter.

THE HONOURABLE SIR JOHN BELL (Bengal Chamber of Commerce): Sir, I rise to support the amendment to this Resolution that has been proposed by my Honourable friend Sir Arthur Froom. But in doing so, I should like to point out that in its ultimate intention there is practically no difference between the amendment and the Resolution. It is merely a question of the means by which that intention can best be achieved, and that being so I hope it will be possible for my Honourable friend Mr. Suhrawardy to accept the amendment.

In common with my Honourable friend Sir Arthur Froom I feel greatly indebted to the Honourable Mr. Suhrawardy for having brought this important subject before this Council.

I would hardly have thought it necessary to say anything with regard to the first section of the amendment had it not been that this is one of the days on which my Honourable friend the Maharaja of Burdwan regards all Resolutions and amendments with suspicion and therefore it would appear that there may be some difference of opinion.

[Sir John Bell.]

I think it would be an exaggeration to say that an up-to-date and efficient system of roads is the most important element in the development of any country, but I do not think it would be any exaggeration to say that no country can be properly developed unless it has an efficient road system.

My Honourable friend has made reference to the Agricultural Commission which is at present studying the development of agriculture in India, and I feel sure that it is the wish of every Member of this Council that its efforts should be of lasting benefit to the agriculturist. But the recommendations which they may be able to make will be very much less useful to the agriculturist than they would otherwise be if he be not provided with a more up-to-date system of road transport, which will result in the opening up of new areas and will enable him with greater profit to himself to develop the areas at present under agriculture by making it possible for him to market the products of these areas more cheaply.

Again, we have in this country a highly efficient Railway Board which has done a very great deal for the development of the railway system in India. Much of their time has been spent in formulating schemes for the extension of existing railways and for laying down new lines. But their efforts will be very much handicapped if they are unable to count upon the services of an efficient subsidiary service—I may call it that—which in turn is dependent on the existence of more efficient roads. These feeder services on which the railways must largely depend in the future to a very great extent will provide what my Honourable friend Sir Arthur Froom has referred to and that is the means by which the railways will be in a position to tap large areas round their lines and not a few miles on either side as they do at present.

Given good roads, there is an enormous field for development of motor transport in India. In the United States of America there is one motor vehicle registered for every 7 persons in the country. In Great Britain there is one motor vehicle registered for every 76 persons in the country, and in India there is one motor vehicle registered for every 6,500 persons in the country. That will give some idea of the extent to which the development in India can be carried.

The second part of my Honourable friend's Resolution deals with the question of finance. That will be one for this Committee which it is proposed to form to consider, and I need therefore at this stage make no suggestions, but the Committee will doubtless bear in mind that in no country in the world are motor cars and motor accessories so highly taxed as they are in India, and that it does not seem unreasonable that at least some portion of the very large revenue which is derived from this source should be applied to the improvement of roads.

The third part of my Honourable friend's Resolution deals with the formation of a Central Road Board. This has been found necessary in Great Britain. Until the formation of, what is equivalent to a Central Road Board, the Ministry of Transport, the development of the roads of the country was entirely in the hands of Town Councils and District Boards, and although to a certain extent up to the time of the War this was found to be a satisfactory arrangement, after the War owing to the dislocation that followed, the system broke down and it was necessary to form this central body in order to co-ordinate the work of these different institutions.

The success of the system was immediate. If a central system is necessary in Great Britain, I think it is even more necessary in India, in order to co-ordinate the work of the different provinces, particularly in view of the fact that the policy of one province with regard to its roads, and with regard to its bridges, might be in conflict entirely with the policy of the provinces on either side.

It seems to me that it is quite as necessary to have the road system of the country controlled by a central authority as it is to have the Railway system so controlled.

The time seems now to have come when it appears to be necessary for India to take some definite step in the direction of the scientific development of her road system, and a necessary preliminary appears to be the formation of the Committee that has been suggested by my Honourable friend Sir Arthur Froom. I hope this very reasonable suggestion will meet with the support of the House generally, both of the Members on this side and the Members on the other side.

The Council then adjourned for Lunch till Twenty-five Minutes to Three of the Clock.

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE SIR CHARLES INNES (Commerce Member): Sir, I must say that it was a great relief to me when the Honourable Sir Arthur Froom moved this amendment. Every one, I think, in this House must sympathize with the object which lies at the back of the Resolution proposed by the Honourable the Mover. That object, as the Honourable Sir Arthur Froom defined it, is the progressive improvement of roads in India, and that is an object which all Governments in India have very much at heart. But I think also that every Honourable Member of this Council would have agreed that the Government could not have accepted the Resolution in the form in which it was drafted by the Honourable the Mover. But Sir Arthur Froom's amendment puts the matter on a different ground. I was very glad to see it because it was an indication that that great commercial community, which is so ably represented in this Council by my Honourable friends from Bombay and Calcutta, are being converted to the view which the Government have always taken in regard to this very important subject. Our view shortly has been this. We have always been in great sympathy with the object behind this movement for a Central Road Board and a Central Road Fund. At the same time we have always felt that it is a matter in which the Government of the country could not allow themselves to be rushed. It is a matter in which we must walk very warily and very delicately. That was what I tried to bring out when I spoke on this subject last at Cawnpore. Of course we recognise that the development of motor transport in India has brought the matter of roads into a new prominence, and that it has also brought up many difficult problems. I know something of this matter because for many years of my life I was Collector of a District and in that capacity I was President of a District Board. As President of that

[Sir Charles Innes.]

District Board I had something like 1,600 miles of road to keep in order with a very inadequate allotment, and now that allotment, so far as I know, remains very much the same; but this development of motor transport requires a higher standard for your roads, and that is one of the great difficulties which we have to face in India at the present time. I should also like to make it clear, because I believe there is some misunderstanding or suspicion on the subject, that there is no objection to this movement for the improvement of our roads and the setting up of a Road Board on the part of the railways. It is perfectly true that in England and America railways are complaining more and more of the competition of motor transport. It is also true that that competition has begun to affect our earnings on certain railways in India, but we take what I might call a large view of the matter. From the railway point of view we recognise that on the balance and in the long run an improvement of road facilities and an improvement of our road system will bring in more revenue and more traffic to the railways; and we recognise that the modern tendency is to look upon roads as a necessary adjunct to your railway system, and from the railway point of view we should welcome anything that could be done to improve and extend our road system in India. But what we have always felt in the Government of India, as I said just now, was that it was quite useless to rush a matter of this kind. Sir Arthur Froom definitely kept off the financial aspect of this matter, but it is perfectly useless to have a Central Road Board unless you also have a Central Road Fund, and where are you going to get the money with which to endow your Central Road Board? The suggestion which has always been made in this matter is that the revenue we derive from motor excise should be earmarked for the purposes of this Central Road Board. Well, Sir, I say nothing now as to whether or not that will be a practical proposition. All I say is that at the moment it is impracticable, for we in the Government of India are pledged so to order our finances as to liquidate provincial contributions at the earliest possible date. That takes priority and, until we have liquidated these provincial contributions, it would be quite impossible for the Government of India to take this new departure and to earmark a large and growing source of revenue for any other purpose, however desirable and beneficial that purpose may be. That is the first reason why we in the Government of India have always thought that this matter could not be rushed.

Then, Sir, there are other difficulties which we have got to bear in mind, I refer of course to the constitutional difficulties in this matter. You have all heard the Honourable the Maharaja of Burdwan speak this morning. The Honourable the Maharaja was himself not very long ago a member of a Provincial Government, and as soon as he saw not only the Resolution, but also the amendment he was, so to speak, up in arms. The fact of the matter is that deliberately and of set purpose the constitution has made roads, with one small exception to which I need not refer, not only a provincial subject, but a provincial transferred subject. The maintenance of the roads is governed in the different provinces by different Acts and we have always felt in the Government of India that we must be very careful how we, so to speak, butt in on what is a provincial transferred subject. In everything we do in a matter of this kind I feel myself it is essential that we must carry the Local Governments with us and we must do nothing which will alarm the Local Governments or lead them to

suppose that we are going back on the constitution and that we propose to encroach on a subject which that constitution deliberately reserves to them.

Then again, Sir, another difficulty which I personally have felt is what I might call a certain lack of clarity of ideas about this conception of a Road Board and a Central Road Fund. For instance the first reference I saw in the public Press to the proposal to establish a Central Road Board was the report of a meeting of a certain Planters' Association in Southern India, and as far as I remember those planters said words to the following effect. They said, "We welcome this Road Board; we have always objected to paying these road tolls." In other words, they regarded the Road Board as an idea that the Government of India should come in and supply Local Governments with funds which would enable Local Governments to get rid of road tolls.

Then, Sir, the next time the Central Road Board came before me it came before me in the conception that the best way we could encourage and develop motor transport in this country was to encourage long distance motor transport by making all-India roads all over India. I myself do not take that view, and it was for that reason that deliberately when I spoke on this subject at the meeting of the Associated Chambers of Commerce at Cawnpore I made a speech which was intended to point out certain difficulties and to get those who are interested in the subject to think about the matter; and I am glad to say I was successful. From Cawnpore I went on to Calcutta and there I met a gentleman who is very greatly interested in this idea of starting a Central Road Board and a Central Road Fund. He told me that he did not care very much about the functions of the Road Board: all he was anxious to get was some security that certain funds should be put aside by the Government of India for the development of roads in India.

The next development was that a deputation from a body which styles itself the Indian Roads and Transport Development Association came to visit me in Delhi not very long ago; and again we discussed the whole of this matter in the fullest detail, and I am very glad to say that when we got down to it I found there was very little difference of opinion between myself and the organisers of that Association. Their idea—I think I am not giving away any secrets—is that public opinion throughout India should be educated to realise the value of motor transport to India, particularly to the agriculturist of India, and that people should set to work to think what will be the best way of improving the roads so that full use might be made of motor transport in India. And they went on to say that in their view the best plan was to make a careful study in each province of the road system of that province, to draw up sketch maps and on those sketch maps to show what were the main lines of provincial communications, what roads were of more than provincial importance, rather of national importance, and what roads were of merely minor and provincial importance, and also to show on those sketch maps which of those main provincial or national roads were interrupted either by lack of bridges or in any other way and where. And when all this information had been got together then, in the idea of this Association, they would be able to come before the Government of India with a very much stronger case than has ever been put before the Government. I may

[Sir Charles Innes.]

say that I told them the Government of India would welcome preliminary work of that kind. As the Honourable Sir Arthur Froom has put it, this amendment of his is designed to be a step towards the possible formation of a Road Board or at any rate towards the formation of some scheme for a comprehensive review of the road system of India to see where that road system requires improvement and where it requires supplementing. In that view the Government of India will be quite prepared to accept this amendment or at any rate not to vote against it—on one understanding. As the Honourable the Maharaja of Burdwan has said, we are here treading on rather delicate ground and we shall have to consider very carefully before we take steps to set up a Committee on the lines suggested by my Honourable friend from Bombay how we stand as regards Local Governments and what view Local Governments will take of this matter. For myself, I do not think there is any reason why they should object to the Government of India appointing a Committee of this kind. I have just got the report of a Committee which was appointed in 1925 to examine the whole road problem of South Africa very much on the lines of the Committee which Sir Arthur Froom has now suggested. I have the report here. It examines the system of roads of each province in South Africa and it makes suggestions as to how those roads can be improved; and judging from the experience of other countries it makes certain statements which I think are relevant in the present connection. The first statement they make is that they "consider that so long as road development has to be financed entirely from the resources of the several provinces without agreement with or material help from the Central Government no satisfactory development will be possible." Then they go on to say:

"In countries where an interest has been displayed by the Central Government in the development of road systems such interest has been justified in every case by the prosperity which has followed."

I think, Sir, speaking without prejudice, that the Committee which is proposed in this amendment might perform a very useful function—at any rate, it will give this rather difficult and very important subject that thorough exploration which we, the Government, think it requires. If my Honourable friends opposite will only understand that we must safeguard our position *vis a vis* Local Governments and that we must consider carefully whether they will require to be consulted before we appoint this Committee, then, Sir, subject to that reservation, the Government will be very happy to accept the amendment.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY: I accept the amendment of my Honourable friend Sir Arthur Froom which is almost like my original Resolution. And I thank the Honourable the Government Member for his sympathy for this scheme.

THE HONOURABLE THE PRESIDENT: The original question was that the following Resolution be adopted:

"This Council recommends to the Governor General in Council that the proceeds of taxation on motor transport be earmarked in a separate account for Road Development and that a Central Road Development Fund under the Government of India be formed; out of which yearly grants be made to each Local Government according to its needs and necessities for the development of quicker transport in rural areas for the benefit of the agriculturist in India."

Since which an amendment has been moved :

" That for the original Resolution the following be substituted :

" This Council recommends to the Governor General in Council to appoint a Committee, including Members of both Houses of the Central Legislature, to examine the desirability of developing the road system of India, the means by which such development could be most suitably financed and to consider the formation of a Central Road Board for the purpose of advising in regard to, and co-ordinating the policy in respect of, road development in India."

The question is that that amendment be made.

The motion was adopted.

THE HONOURABLE THE PRESIDENT: The question then is that the amended Resolution be adopted.

The motion was adopted.

RESOLUTION *re* ABSTENTION OF OFFICIAL MEMBERS FROM VOTING ON NON-OFFICIAL BILLS AND RESOLUTIONS.

THE HONOURABLE MR. P. C. DESIKA CHARI (Burma: General): Sir, I beg to move the Resolution which stands in my name and which runs as follows:—

" This Council recommends to the Governor General in Council to move the Governor General or, if necessary, His Majesty's Government to issue instructions to the official Members of the Central Legislature to refrain from voting on non-official Bills and Resolutions in the Indian Legislatures."

Sir, before proceeding to deal with the proposition which I wish to place before you for your acceptance, I should like to say a few words as regards the reasons which prompted me to table a Resolution of this kind. I hope the Honourable

8 P.M. Members of the Treasury Benches will not misunderstand my attitude towards them. It is not in a spirit of hostility to the official Members that I have brought forward a Resolution of this kind. I have been actuated by the strength of fellowship and cordiality which has always characterised the relationship between the official and non-official Members of this House from its inception to this very day. I do not think it is necessary for me to apologise any further as regards the position which I wish the Honourable Members of the Treasury Benches to take, if I may be permitted to go through the grounds which prompted the authors of the present constitution to bring in the official block for the purpose of promoting legislation and for the discussion and adoption of various measures which are brought forward in this House. Sir, it may be necessary for me to refer at the outset to that legal objection which may perhaps at first sight appear to some Honourable Members as a stumbling block to my Resolution, I mean the provisions of section 63-D, sub-clause (4), whereby all questions brought before this Council or before the other Legislature should be determined by a majority of votes of Members present, except in the case of the President who has and who shall exercise a casting vote in the case of an equality of votes. I am aware of this provision and I would submit to you that the existence of a provision of this kind has never been thought to be an obstacle in the way of setting up a convention or practice for particular groups to organize and to instruct the Members of those groups to vote in a particular fashion or to give necessary instructions as regards the exercise of that vote on

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particular questions. Sir, I may at the outset refer to certain conventions which are suggested in the Montagu-Chelmsford Report in this connection. I cannot do better than refer you to the particular passage which is contained in paragraph 233 of the Montagu-Chelmsford Report:—

“ There seem to us good and sufficient reasons for not dispensing entirely with the official element in the legislative councils. Once the official *bloc* is swept away the main objection to the presence of officials no longer exists; their presence has the advantage of tending to steady discussion and of keeping it to practical issues; and their official experience will be invaluable. The exact number of official representatives will be a matter for the committee to consider. We advise, however, that the official element appointed by the Governor should be no larger than is considered necessary for the transaction of business. The members of the executive council should be *ex-officio* members of the legislative council, and there should be so many other official members as will provide the Government with first-hand knowledge of the matters likely to be discussed both in the council and in committee. We wish to see the convention established, though we propose to lay down no rule on the point, that on the subjects transferred to the control of ministers, the official members of the legislative council would abstain from voting and leave the decision of the question to the non-official members of council. On other matters, except on occasions when the Government thinks it necessary to require their support, the nominated official members of the legislative councils should have freedom of speech and vote.”

I would also invite your attention to certain passages in the first Reforms Despatch and I would refer you to paragraph 90 of that Despatch which refers to official Members voting in the Provincial Councils and to paragraph 115 which refers to official Members voting in the Central Legislature.

“ One more matter connected with the conduct of business may be mentioned here. In paragraph 233 of the Report it is suggested that as a matter of practice official members should abstain from voting on transferred subjects, while on other matters official members should have freedom of speech and vote, except when the Government considers it necessary to require their support. There is some diversity of opinion among local Governments upon these suggestions. It is urged that for some time to come administrative experience will continue to be vested chiefly in the official members and that as full members of the council and also, in some measure, as representing the views of the masses they should have a right, not merely to express their views, but to give point to their opinions by the exercise of a vote. As regards the second proposal the Government of Bengal feel doubtful whether in practice it will often be feasible to relax the obligation of official members to support the Government; indeed they think that it is only when the Government preserves an open mind upon any question that such freedom can be allowed. Our own view is that as regards transferred subjects it is undesirable to set up a convention, which may have the effect of emphasising the cleavage between official and non-official members; and that the existing convention by which official members invariably support Government has been too rigidly observed. In both cases, therefore, we think that the official members of the legislature should have freedom of speech and vote, except in so far as the Government, in exercise of the responsibility which it feels towards the particular question before Council, thinks it necessary to give them instructions.”

These opinions express the pros and cons of allowing the official Members freedom of speech and vote. But I refer you to these particular passages because I want to emphasise this point, that there is no legal or constitutional difficulty in adopting a Resolution of the kind which I now propose. It is only for this purpose that I want to refer to these passages in the Montagu-Chelmsford Report and in the first official despatch on that Report. The only question is whether it is expedient or necessary. But before I proceed to deal with the terms of the Resolution I should like to invite your attention to the objects and aims of the framers of the constitution. The aim of Parliament in giving a constitution of this kind was to see to it that the bureaucracy did not

enforce its views upon the people directly, but indirectly through the people by inducing the representatives of the people to agree to their views. It was this object which induced them to introduce the official element into the Central Legislatures as well as in the Provincial Legislatures. The primary object of the existence of this official bloc in their mind was not as we find it actually working in practice but for the purpose of aiding discussions and training non-official representatives in administrative matters and methods, for the formulation of policy with the aid of the representatives of the people and for finding the ways and means of putting that policy into execution. That is what the official element has been retained for. The constitution given to us can only be effective with the best of goodwill on the part of both the official and non-official Members of the Council. Unless there is this goodwill the working of the constitution is impracticable. To make it workable it is necessary that the official Members should look to the aims and objects of the framers of the constitution and give effect to it. As it is, we find that the responsibility of the Government of India to Parliament is left unimpaired. They do not conceal the fact that by this constitution the Government of India is not to be made responsible to the Central Legislature in any manner. But at the same time the framers of the constitution were anxious to point out that the method of home control has been relaxed to a considerable extent and they did not relax it to give more freedom of action to the official agency whereby Parliament controls the destinies of India. In so far as the home control has been relaxed by the various provisions of the present constitution, they intended, and they deliberately intended, that that control ought to be supplemented by the control and the influence which the representatives of the people of India would have in the Central Legislature. They wanted to replace to some extent the control of Parliament by the control of the non-official representatives of India, and in effect, the British people and the British Parliament were anxious to give to India a half-way house between autocracy and democracy, between the old traditional policy of the bureaucracy enforcing its views absolutely without deference to the views of the national leaders and the extreme parliamentary sovereignty of making the Executive responsible to the Legislature. It is this half-way house that the framers of the constitution wanted to establish, and it is the duty of the official Members to see that this aim and object is carried into effect. I believe the adoption of the course which I propose in this Resolution would translate into action the aims and objects which the framers of the constitution had in view. I may refer to the principles and the conditions underlying the structure of the present Government of India Act as contained in the Montagu-Chelmsford Report. I would invite your attention to paragraph 270 of that Report:—

“ But a constitutional element of delay may be found in the character of the Government itself. Because it is bureaucratic it is naturally less anxious to move than a responsible Government. In the matters where Parliament does not affect it, its duty is to its own conscience—or perhaps we should say to its successors in office—and not to any constituents. We should do well to associate with it a really representative assembly, so as to ensure that in the comparative seclusion of its domicile in Delhi and Simla, the wishes of the country are accurately and regularly presented to it and that its action is adequately criticised. In this way not merely shall we get a succession of stimuli from outside which would benefit the Government in India, but the Secretary of State in England will have the means of judging what view is taken in India of the actions of the Government, and so the modified measure

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of home control which we propose will come to be exercised not merely in accordance with British views but with regard also to the expressed views of those who represent constituencies in India. These are the considerations underlying the proposals which we put forward for changes in the structure of the Government of India both in its executive and legislative aspects.

Well, Sir, it is clear that the framers of the constitution had in their minds this object prominently in view, and it is this

THE HONOURABLE THE PRESIDENT: Order, order. I would ask the Honourable Member not to refer again to the objects and aims of the framers of the constitution unless he has something entirely different, entirely new, to say. He has repeated himself at least six times on that point.

THE HONOURABLE MR. P. C. DESIKA CHARI: I am sorry. Well, with this object in view, we have been given a constitution, and I would request the official Members on the Treasury Benches to accede to the view of the non-official Members in so far as it is necessary to give effect to these aims. As Lord Meston puts it, we have got under the constitution the official and non-official Members; that is, the representatives of autocracy and democracy should walk hand in hand till democracy learns its paces and is in a position to walk alone. I would only request the Honourable Members of the Treasury Benches to allow us some space within the constitution to walk alone so far as the present constitution permits us to do so. We have walked hand in hand these six years and more, and I hope and trust that the official Members will allow the non-official representatives to give an uncoloured verdict on the questions before this Council on those matters which are dealt with in non-official Resolutions and non-official Bills and will give them a free scope.

Coming to the terms of the Resolution, what I want is that on non-official Resolutions and Bills the official Members should refrain from voting. As regards Resolutions, they are merely recommendations and it is not obligatory on the part of the Government to carry into effect any Resolution which the Government disapproves of. Such being the case, I think it is but fair to allow the non-official representatives of the people to give a verdict as members of a jury do, and to allow the Government to decide upon it in the light of the verdict given by the non-official representatives. The officials have got a right to have the last say in the matter because I take it that the official Members of the Central Legislature are merely the representatives of the Governor General in Council; appointed as such no doubt under the Act, they have got the full powers of Members, and I do not dispute their legal right to take part by vote and speech on every one of the questions that are brought before the Council, but I would only request them to carry into effect the aims and objects of the framers of the constitution who merely meant the official *blot* for a particular purpose, and that purpose was purely with reference, to guiding the non-official Members on certain subjects and with the object of carrying into effect necessary measures and necessary legislation which the Governor General in Council thinks necessary in the discharge of his responsibility to the Secretary of State, and through the Secretary of State to Parliament. I do not know if it would serve any useful purpose to refer to various passages in the Montagu-Chelmsford Report which would indicate that

the object of the retention of the official *bloc* was for this purpose and this purpose only; and in the concluding portion in summarising their proposals they are very careful to point out that the official element should confine its activities strictly to those limits. As to how far those limitations ought to be carried into effect they have merely made suggestions and it is not possible in framing a constitution to make rules of limitation as regards the powers of various Members of both Houses of the Central Legislature. They have left it to be worked out in a spirit of goodwill and co-operation with non-official Members and in the discharge of the duties that are entrusted to Government and through the Government to the official *bloc*, in this as well as in the other House, I would request official Members to help us as far as possible in coming to our own conclusions and to guide us in our deliberations, to point out to us ways and means of advocating the policy which we think would be conducive to national interests and to show to us the way of practical execution of the policy. There is another aspect of the non-official Resolutions which I should like to emphasise. It is this. By the officials being allowed to vote on non-official Resolutions the views of the representatives of the people are a great deal coloured. It is not possible easily to ascertain what the views of the non-official Members are as they emerge after deliberations here. Very often the intervention of the official votes gives a different colour to the views of the representatives of the people here to what it is; and it is this aspect of unreality that I want to bring forward when I advocate the setting up of a convention which I advocate in this Resolution. Then, there is the other aspect of allowing Parliament to judge and the Secretary of State to have a clear idea of the views of the nationalists or the representatives of the people here. If the officials are allowed to intervene and vote on non-official Resolutions, the unalloyed views of the non-official representatives are not allowed to appear in their true colours, and as the control of the Secretary of State and the Parliament has been relaxed solely with the object of allowing non-official views to be given free play, I submit that my Resolution would serve the purpose which they have in view. It will give Parliament an opportunity of ascertaining the views of the non-official representatives as apart from the views of the official representatives which would appear to them through different channels. Then, there is another aspect of the question which is very important. It is necessary to train the electorate, to teach them the effect and the value of the vote and if it is necessary to teach them is it not necessary to allow the non-official representatives free scope to criticise the policy of the Executive and also to allow the non-official representatives to give their own independent views as a body in clear and unmistakable terms, so that the electorate may be educated and may be in a position to judge whether the representatives of the people represent the people or not.

As regards the second portion of the Resolution, dealing with non-official Bills, I would submit these considerations ought equally to apply to legislative measures which the non-official Members may bring forward. There is no danger in allowing non-official Members free scope in the matter, as free a scope as in the matter of Resolutions. There are various safeguards against the misuse of the power by the representatives of the people in the matter of non-official Bills in the Central Legislature. There are various safeguards, for instance, in the shape of getting the previous assent of the Governor General in some important matters; and in all matters unless the assent of the Governor General is obtained to any Bill

[Mr. P. C. Desika Chari.]

it does not have any operative effect. And then the Viceroy has got ample powers of intervening at any stage to prevent any mischievous Bill or any mischievous clauses in any Bill which may be introduced by non-official Members. It is quite open to him to put a stop to further proceedings by the powers which the Viceroy has got in the Government of India Act itself. And then it is quite clear that Parliament never intended that this official *bloc* should be used by the Governor General in Council to assert its own responsibility to Parliament in an indirect manner. It is made perfectly clear that as and when the Governor General in Council thinks it necessary to have recourse to legislation and measures which he considers necessary for the discharge of his duties, powers have been given which are meant to be exercised on his own responsibility, and he is not expected to exercise those powers in an indirect manner. It is with this object that I have brought forward this Resolution for allowing some scope within the Constitution itself to the non-official Members to exhibit their fitness for shouldering responsibility when the question comes up for decision at a later stage. In this connection I should like to point out that views may differ as regards the fitness of Indians to shoulder responsibility all at once, but whatever it is, it would not serve any useful purpose to have a purely academic discussion and I would request you to confine yourselves for the present within the scope given by the constitution. I am only asking that we must be content with the present constitution till we get a better one. We should be allowed free scope and free part in the deliberations of these Legislatures, and we should be allowed to show our fitness in some way, to do our own work unaided by officials who have been put in here with a view to guide us. I am not saying that they ought not to guide us. I am only saying that with their guidance we should be allowed at least to have our own say, independent say, and to give the verdict of the representatives of the people unalloyed without the intervention of the votes of official Members. It is in this spirit that I ask you to consider this question, and not to approach it from a purely technical or restricted aspect of the present constitution. I hope and trust that the adoption of a Resolution of this kind will go a long way to create that spirit of harmony and co-operation which is absolutely necessary for translating into effect the aims and objects of Parliament and of the framers of the constitution.

With these words, I commend the Resolution for your acceptance.

THE HONOURABLE THE PRESIDENT: I would ask the Honourable Member who has just spoken, when he has a little leisure to read more carefully the terms of the proviso to Standing Order 61, which fixes the time limit for speeches. He will find what he has apparently not yet realised, that it is not mandatory in its terms and does not compel the Mover of a Resolution to speak for thirty minutes. It is merely permissive.

THE HONOURABLE MR. H. G. HAIG (Home Secretary): Sir, when I read the terms of this Resolution I confess I assumed that the Honourable Member intended to recommend to this House that the official Members of the Central Legislature should not only refrain from expressing their opinion by vote, but that they should also refrain from expressing it by voice, and on this understanding, Sir, I confess that I personally approached the Resolution with a little of the sympathy that the Honourable Member

asks for, though as an official it is my painful duty to oppose it. After listening to the Honourable Member's speech I am not sure whether he intended to release us from those duties, and it appeared to me that possibly his suggestion was that the official Members of this House should be in the position of—shall I say Vakils? They would be allowed to plead their cause but would take no part in the judgment. I do not think, Sir, that is a position which is likely to commend itself, nor do I think that it is probable that the Honourable Member would be able to stop at the position he has indicated and merely prevent us from recording our vote. I do not know whether the Honourable Member is a tennis player. If he were he would realise that, pleasant as it is to win, it becomes a little tiresome if one always wins love sets. I take it that the Honourable Member's proposal was designed to give him at any rate an undue proportion of love sets.

While I was listening to the Honourable Member's speech I wondered whether at the back of his mind he had the idea that there are certain questions which concern only non-officials and in which the official Members of the Central Legislature should not take part. Well, Sir, I turn to the Resolutions on the paper to-day. What are they? A Resolution on prohibition, a Resolution on motor transport and the formation of a Central Road Development Fund, a Resolution on the release of the Bengal detenus. Surely, Sir, these are all questions in which the Government is very closely concerned, and in which it must be expected to have an opinion and to express it and to record it. As my Honourable friend said, the aim of the constitution is to bring together the Executive and the popular representatives. In this transitional form of constitution that is the great difficulty with which we are faced. We have an official Executive, we have popular representatives. It is obviously undesirable that they should stand apart from each other, having no relations. The object of the constitution was that these two elements should bring their influence to bear on each other and I believe, Sir, that in fact they do. I am perfectly certain that the non-official Members bring a great deal of influence to bear on the Executive and I hope that occasionally, though not perhaps so frequently, the Executive are able to exercise a little persuasive influence on non-official Members. And it is a good thing, Sir, that in these Councils we should endeavour to appreciate each other's point of view. This morning I heard one Honourable Member express with emphasis and apparently with satisfaction his complete inability to understand the official mind. It may be a hard and perplexing task to understand the official mind, but it is a task that has to be essayed. The ability to appreciate other people's points of view is surely one of the first principles of democracy, and I trust that on further consideration my Honourable friend will discard his autocratic prejudice. It appears to me that if the Resolution which my Honourable friend has moved were brought into effect, it would create, not as he suggests a spirit of responsibility, but a spirit of irresponsibility. If the official Executive knew that whatever they said, whatever efforts they made, they were bound to be defeated every time, they might begin to regard the Resolutions of the Central Legislature as things of little account, and the Members themselves, the non-official Members, if they realised the probable result of such a system on the attitude of Government, they might also tend to become a little irresponsible and to give expression to opinions and to pass Resolutions which they expected would not be accepted by Government. I think that the present balance whereby the Government have to fight hard in order to get a victory, and are not

[Mr. H. G. Haig.]

infrequently defeated, is a system which promotes a spirit of responsibility throughout the Central Legislature. But however that may be, we have to take the constitution as we find it. The constitution has been framed on the basis of a certain official representation in the Legislatures. So long as the officials are Members they must have the full rights of Members. That, Sir, is the answer which was given to a somewhat similar proposal by a body which is not without authority in this Council, the Reforms Inquiry Committee. These are their words (they are talking of officials):

“So long as they are members, we are agreed that they must have the full rights of members.”

That, Sir, appears to me to be a sound and unassailable position, and really it would be possible to leave the matter there.

But there is a further point. I think when I have developed it the House will agree with me that the Honourable Member's proposition is really entirely impracticable. The proposal which he has put forward originated in connection with a form of constitution which we do not possess in the Central Legislature. It originated in the form of constitution known as “dyarchy”, and I observe with some interest that the majority of the quotations which the Honourable Member read out to us from the Montagu-Chelmsford Report and other constitutional documents had reference to that dyarchical constitution in the provinces. Now, Sir, there we have two separate executives; we have an executive for the reserved subjects, and an executive for the transferred subjects, but have only one Legislature. It may be argued—I do not say whether it is a reasonable argument or an unreasonable one, for present purposes I need not go into that point, but it is at any rate an intelligible position—that as there is a separate executive for the reserved side and a separate executive for the transferred side, so there should be separate Legislatures for the two sides of the Government. People who hold those views, looking round and finding in existence a single Legislature in the provinces, have hit upon the idea that they can, while maintaining the single Legislature, in fact make it into two by this device of saying that the official Members and non-official Members should both vote on the reserved subjects, but that on the transferred subjects only the non-official Members should vote. That, Sir, in fact would amount to the constitution of two separate Legislatures, and that is a proposition which at any rate is arguable. My Honourable friend has transferred those ideas from a sphere to which they are entirely applicable to a sphere in which they have no application at all, namely, the Central Legislature. Here we have no dyarchy. Our subjects are all dealt with by the same Government, and my Honourable friend was obviously faced with some difficulty in making any suggestion as to how to decide which subjects should be voted upon by the non-officials and which by the whole House. His solution is that non-official Bills and Resolutions should be assigned to non-official Members. But, Sir, what is a non-official Bill or Resolution, and how does it differ from an official Bill or Resolution? They deal with exactly the same subjects, and it is frequently a mere accident whether a particular Resolution is brought forward by an official or by a non-official. I can imagine, under the system recommended by my Honourable friend, that there would be possibly an unseemly rush in order to table Resolutions. We should find my Honour-

able friend Mr. Ramadas Pantulu endeavouring to be just ahead of my Honourable friend Mr. Brayne in tabling his Resolution about prohibition. If Mr. Brayne were able to get in before him, then the official Members would have the opportunity of recording their votes on the Resolution. On the other hand, if Mr. Pantulu was first, then we should all be muzzled. That, Sir, does not seem to me to be a practical proposition, and in fact there is no means of dividing the Legislature of a unitary Government, and that is really what my Honourable friend has proposed should be done. On these grounds, Sir, I hope the House will support the Government in voting against this Resolution.

THE HONOURABLE MR. V. RAMADAS PANTULU (Madras: Non-Muhammadan): Sir, I confess to a certain amount of embarrassment in speaking on this Resolution. Frankly speaking, I am not enamoured of it because I do not believe in the possibilities of the present constitution being worked out even with a mute official *bloc*. The constitution is so bad inherently that this device will not improve it. That is why the Party to which I belong has thought fit not to take very much part in working the constitution as it is. However, the Resolution has raised one or two questions of some constitutional importance and I would like to say a few words. My Honourable friend on the official side has just said that the officials, if they are asked to express their opinion merely by voice and not by vote, will be reduced to the position of Vakils. I will remind my Honourable friend that the constitution does at present provide for Vakils. The Honourable the Leader of this House and the Honourable Mr. Das will both be Vakils in the Assembly, and the Honourable Sir Charles Innes and the Honourable Sir Alexander Muddiman will be Vakils in this House. There are possibilities in the constitution for Vakils coming and pleading without having the right to vote, only we should like to have a few more Vakils. And as a Vakil I may tell the Honourable Mr. Haig that the position of Vakils is not so bad as that of official Members because at least we have the privilege of throwing away a bad brief. A Vakil can throw away a bad brief, but that privilege is denied to the official Benches.

To come to the more serious points in the debate, it is certainly anomalous that a person who is a Member of the House under the constitution should be asked not to vote. I quite realise the force of the objection on the official side, but when we see that the Government of India Act provides for a constitution which is itself anomalous and unnatural, which is unprecedented in any other constitution, suggestions like those made by Mr. Chari need not surprise us much. Is there any constitution under which the permanent officials form a *bloc* and influence non-official opinion? Is there any constitution in which a large number of persons nominated by the Government reflect the opinions of the Legislature? These are wholly unnatural things which we find only under the constitution of the Government of India Act. The division on my prohibition Resolution shows that if officials did not vote this Council would have declared in favour of a policy of prohibition. Therefore, if my Honourable friend's Resolution asks for a new precedent being established, I really do not find any harm in it. Nor do I find it unconstitutional to ask a party not to vote. Very often we ask the parties to vote according to a whip issued to them. As my Honourable friend knows, every party does it, and I do not see why the Government Party which now votes accord-

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ing to a particular mandate, may not also refrain from voting if the Government asks them to do so. I do not think there is anything unconstitutional in this. Under the Government of India Act every party has a right to vote or not and decide how it shall vote. That is a privilege every party exercises, and fortunately or unfortunately the official *bloc* is a recognised party in the House. It has its own official whip; it has its own mandates. (*An Honourable Member*: "Have you not your own?") Yes we have and we ask the Government also to adopt this plan of not voting on certain occasions. If there is such a thing as the Government being represented by nominated Members on the Legislatures, my Honourable friends on the other side ought also to be aware of the system of "weighting the votes" which obtains under some constitutions. Under that system of weighting the votes any two Government Members may be given a dozen votes each to turn the scale. What is the use of such automatic votes? If we are to ascertain what the real non-official opinion is, the official members must refrain from voting. My Honourable friend Mr. Desika Chari has elaborated the reasons why Government should ascertain non-official opinion in this particular way. Whether it be a Bill or a Resolution, the Government always have the last word. They can treat any Resolution which is passed in this House as being merely advisory or recommendatory and they are not going to be affected by it; then why should not this Council record the opinion of the non-official Members? Therefore, I do not think this is such an unreasonable request having regard to the unreasonable nature of the constitution. In the special circumstances of the constitution I think there is a great deal to be said for Mr. Chari's Resolution.

One word more and I have done. My Honourable friend has appealed to the non-official Members to essay the task of appreciating the Government point of view. I do not think the non-official Members of this House have ever been guilty of neglect in this respect. We always look to the Government view, because our salvation lies in taking it into account. We know that the Government view has such a predominance in this House that we always make it our business to understand the Government and to find arguments to meet it. Our task is an extremely difficult one and we are not unmindful of the difficulty. It is thrust on us every day of our lives; and I can assure my Honourable friend we always do essay the task of appreciating the Government's point of view. It is the Government that should cultivate the habit of essaying the task of appreciating and understanding the non-official point of view. It is somewhat surprising to be told that official non-participation in voting will develop irresponsibility in the non-official Member. To whom are we to be responsible? Certainly not to the officials. We are often reminded that the Executive is irresponsible to the Legislature under the present constitution. Am I to understand my Honourable friend that irresponsibility is to be the monopoly of officials? The charge of irresponsibility comes with bad grace.

With these words I support, though with some hesitation, the Resolution of the Honourable Mr. Chari.

THE HONOURABLE SIRDAR SHIVDEV SINGH OBEROI (Punjab: Sikh): I am sorry, I cannot see eye to eye with my Honourable friend the

Mover of this Resolution which is meant to deprive the official Members of this House of their first initial right and privilege of membership and it is asked that they should not vote on non-official Bills and Resolutions: It is said the official Members must express their views but not vote on points which may be put before the House by non-official Members. Now, first of all, I do not find this practice in any country governed on Parliamentary lines. There are always two parties, one which represents the Government and the other which represents the people. Even in those countries which are more advanced in their constitution the right to vote is not taken away from the official *bloc*. Of course it is a fact, as my Honourable friend Mr. Ramadas Pantulu has said, that had the officials not voted to-day his Resolution would have been carried. It is also true that the present constitution is full of deficiencies and shortcomings which we hope in due course of time may be removed. But I do not see any force in this Resolution—that as the popular point of view is not carried, the official *bloc* should be deprived of the right to vote. Here in this Council as well as I think in the Assembly we have got a majority of elected Members. I think there are 88 elected Members against 25 official and non-official nominated Members. I cannot believe that every official nominated Member is bound to vote for Government. He has to use his discretion conscientiously in giving his vote on the matters which come before the House for discussion. If it is a matter of vital importance in which the Government feel keenly interested, and the nominated non-official Member happens to be of one opinion and the Government of another opinion, he is at full liberty to vote according to his conscience, though he may run the risk of being not nominated a second time. The best thing which should be done of course, as I said before, is to see that we do not run the risk of being in a minority in this House. The elected Members are in a majority, and the best thing to be done is to have union and harmony amongst the elected Members themselves, so that they may stand together apart from the official Members whenever any matter of vital importance to the welfare of the country is being discussed or put to the vote.

Unfortunately in this House we have no party. We have been unable to form either an Independent or Nationalist or Swaraj Party. I find there are some Honourable Members who belong to the Swaraj Party.

4 P.M. The best thing to fight the Government in a Parliamentary way is to form parties and to have unanimity of votes on matters in which the public view does not see eye to eye with the official view. With these few remarks, Sir, I do not support the Resolution and I am sorry that I have to oppose it.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces: Nominated Non-Official): Sir, I confess I am still unable to see, after a very lengthy speech by the Honourable Mover of this Resolution, the reason or propriety of moving this Resolution at this stage. My friend Mr. Ramadas Pantulu has also made certain observations regarding the unreasonable nature of the constitution. If he as well as the Honourable Mover of the Resolution have by to-day's speeches sought to pave their way in advance for the expected visit of the Statutory Commission, it is another matter. In that case I could only say that they have selected a wrong forum. Whether the constitution is unreasonable or defective or whether the material for which the constitution is provided

[Sir Maneckji Dadabhoj.]

is unreasonable and unsound is to be decided by the Statutory Commission. My Honourable friends forget that the whole fabric, the whole groundwork, of the existing Reforms and the policy indicated in the Government of India Act is that the Executive, the Government of India, is not made responsible to the Indian Legislature, and if that feature of the Reform scheme had been kept in view the whole of the discussion to-day would be superfluous and infructuous. If the constitution as it is framed makes the Government of India absolutely independent of the Indian Legislature then all that I can say is that a Resolution of this kind at this stage is wholly premature. My friends are fully aware that the present constitution is of a transitory character. India has been placed on a period of apprenticeship or stewardship to justify her ability for a full measure of responsible government and till that ability, that competence on our part is proved and justified and acknowledged by the only authority which the Government of India Act lays down, and that will be the Parliamentary Committee,—till their decision is given the whole of this discussion seems to my mind to be absolutely barren of any result.

My friend Mr. Chari made certain observations in the course of his speech which I also regret I have not been able to follow. In abstract I am in entire sympathy with him, but when he says that if the officials are precluded from voting and taking part in the debates it will help them to understand the non-official aspect of the case on different measures or Resolutions which may be brought forward in this House, or, as he mentioned, that the non-official Members will get more scope and be in a position to exercise their independence, then I must state I am entirely unable to understand him. I cannot follow his argument. How does the official vote prevent full scope to the non-official Members to represent their views before the Council? Likewise I am unable to follow how the independence of the non-official Members is taken away by the mere fact that the officials as Members of the Council are entitled to vote? He made a great point in respect of this matter and the Council will agree with me that the whole of his argument on this point has been totally unconvincing. He then states very lightly, I may say with levity, "Oh, what does it matter if the official Members are precluded from voting. The non-official Members can bring in Bills and Resolutions and if they decide among themselves to pass a Bill, well, the Viceroy has the right of veto and he need not give his consent." That is the argument which my Honourable friend has advanced. What will be the upshot of such an argument? He wants the Viceroy to be put in an invidious position every time a Bill is passed in this House. His Excellency is to consider whether to veto it or not and perhaps he will have to veto every Session a dozen measures passed in this Council and a dozen more in the other House—a position which would be intolerable, which would be inconsistent with the dignity of that great office and which to my mind seems to be an extremely ridiculous suggestion. He has also stated that if the Government do not take any part in the deliberations of this Council the Government will have a clearer aspect of the non-official view. There too I am unable to follow him. How are the Government precluded from having a clear view of the non-official

opinion? Every non-official Member has the right to get up and place his point of view before the Council and the Government always have to give full consideration to those views before deciding any question. The abstinence of the Government Members from voting cannot possibly help either the elucidation of the problems or in the better understanding of the views of the different Members of this Council. Sir, I am of opinion on the other hand that the official vote and the part which the official Members take in respect of both Bills and Resolutions is of a guiding and edifying nature. We as non-officials do not know the many objections, the many intricacies involved in certain problems. We have not the materials or the means of ascertaining them and much information is excluded from the ordinary vision of the non-official Members. The Government Members on the contrary are in a position to throw a flood of light on many difficult and important problems. Thus the official element is in a better position to judge of the reasonableness or the unreasonableness of any particular proposal before the Council owing to its fuller equipment of information. In my opinion the Government voting is in a measure a distinct guidance; and in this transitory period where, under the law as it stands, official Members have been allowed to be appointed, it seems altogether unreasonable on our part to ask the Government or even to move His Majesty's Government to deprive these men of their just rights and privileges. I hope this Council will not countenance an unreasonable and arbitrary suggestion of this nature.

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative):
 Sir, it appears to me that the scope of this Resolution has been misunderstood. The Honourable Mover's idea is that here a convention may be established that there should be some subjects on which we are agreed that the non-officials will have a free hand and decide them for themselves, and on other occasions—of course the whole Council sits together and does vote together—there should be no official or legal prohibition to the official Members from voting. Precedents for this there are, and I am going to cite those precedents to-day. One was when the Joshi Bill was here—there was a Bill brought in to prohibit Joshis from practising as Joshis and that the fees should not be claimable in court. That was in a Delhi Session, and then the officials said in effect: "This is a matter purely for Hindus and therefore we shall take no part; you had better settle it amongst yourselves." The Muhammadans also in effect said: "Look here, this is a Hindu Bill, we do not want to bother about it, you can do what you please." Ultimately we settled the Bill after the vote of the Hindus alone, and the official Members and the Muhammadan Members stood by. Then there was a Resolution brought up at Simla, I think, that if half the members of a particular community opposed a particular measure exclusively relating to that community, then that measure ought not to be passed. I took part in the discussion I believe—some Honourable Members may remember the thing—and I agreed and we were all agreed, that supposing there is a Bill, say for instance something that affects the Muhammadan religion, if half of the Muhammadan Members oppose the thing, then we agree to drop it. These are not rules, not to be enforced by any particular hard and fast rule or anything of that kind, but this was to be a sort of convention, a sort of understanding, between ourselves. Just as we teach a child to walk by permitting his attempting to stand up and then allow the child to get up

[Mr. G. S. Khaparde.]

against the wall after a few halting steps, in that way not much hurt is caused in learning to walk, in fact the child learns so much the better for it. The idea is that there will be some agreed subjects, very few, not a large number, in connection with which on some occasions the non-officials may be left to themselves. They will get up and perhaps say wrong things, I quite agree, and tumble and fall down, that is all true, but no great injury will be done because it will be a small number of subjects—just as in the case of children being taught to walk. If you always hold up children and never allow them to walk at all, they will never learn to walk. So this is a transitory period as my Honourable friend, Sir Maneckji Dadabhoy has said, and that is the very reason, because it is a transitory period, the idea is to have a convention like this,—not to pass it as a Resolution here or as laws, but amongst ourselves. My friend, the Honourable Sardar Shivdev Oberoi, thinks that there should be parties to vote in one way in any matter. I agree to this extent: this matter had better be discussed privately amongst ourselves; a convention is not a matter of rule but an understanding, and if I understand the Honourable Mover correctly, he means that there should be a convention, not a rule nor a provision under which a few small subjects may be agreed upon and left entirely to ourselves, and then we can speak on them and argue upon them, and the non-officials may advise, but we say, "Look here, this is a small matter, we beg to do it just as we like, just as we allow children to get up against a wall and learn to walk". That I think is the meaning of the Resolution as put here, as also explained by the Honourable Mover himself. If that is so, I do not see any objection. It is a matter of pure agreement, not of law. My friend the Honourable Sardar thinks that there should be a party. I myself rather congratulate this House upon having no parties, because in the case of parties the Members have got to subordinate their judgment to the mandates that are given from outside, and I am unwilling that any Honourable Members of this House should subordinate their judgment to the judgment of others. I am also unwilling that the official Members should be hampered in a particular way. But I am anxious that a few small subjects which are not very harmful should be left entirely to the non-officials, and that will teach us responsibility. At present I believe there are no parties in this Honourable House, but elsewhere they appear to say "there is a block, and the measure will not pass through. What does it matter? I can say what I choose". If left to ourselves probably we shall first begin to feel the weight of what is a responsible vote and then we shall not say or do anything that will provoke laughter. For these reasons I think—and I think that is the idea as I have endeavoured to gather by reading the Resolution—it would be a very useful thing if we may have a few small subjects on which the officials will certainly advise but will refrain from making their opinion effective by their vote. It is not that they should not vote but that they will kindly refrain from voting, just to see how we do—in that sense I am afraid the drafting of the Resolution has not been very good. I wish the Mover had taken the advice of our official draftsmen and then the underlying idea could be brought out. As it is, it reads a little too broad, that the officials should not vote on non-official subjects. The idea is to have a few subjects in which we should be left to ourselves to see how we learn to exercise responsibility. From that

point of view and on the basis of that understanding, I am disposed to support the original proposition as put forward.

THE HONOURABLE SIR JOHN BELL (Bengal Chamber of Commerce): Sir, I beg to move that the question be now put.

THE HONOURABLE THE PRESIDENT: The question is that the question be now put.

The motion was adopted.

THE HONOURABLE THE PRESIDENT: The question is:

"That the following Resolution be adopted:

'This Council recommends to the Governor General in Council to move the Governor General or if necessary His Majesty's Government to issue instructions to the official Members of the Central Legislature to refrain from voting on non-official Bills and Resolutions in the Indian Legislatures'."

The motion was negatived.

RESOLUTION RE SEPARATION OF THE POST AND TELEGRAPH DEPARTMENTS.

THE HONOURABLE RAO SAHIB DR. U. RAMA RAU (Madras; Non-Muhammadian): Sir, I beg to move the following Resolution which stands in my name:

"This Council recommends to the Governor General in Council that the Post and Telegraph Departments be separated and accounts separately maintained for them in future."

Sir, though the accounts of the Posts and Telegraphs are shown separately in the Budget, yet for the purpose of profit and loss, both the Departments have been combined and a net loss shown in the Budget. By so doing, Sir, any reductions of postal rates are denied to the public. Hence the need for moving this Resolution, Sir.

The separation of Posts from Telegraphs is one of the many insistent popular demands which the Government have been persistently refusing to comply with. The reason for this is not far to seek. The Telegraph Department is working at a considerable loss and is a heavy drag on the Postal Department. The surplus of the Postal Department is utilized to meet the deficits of the Telegraphs so as not to swell the loss from the latter. To repeat an oft-quoted simile, it is like robbing Peter and paying Paul. The Postal Department is availed of by the masses in a much larger measure than the Telegraphs. The Telegraph Department is mainly intended for the commercial classes and the State. It is no exaggeration when I say that in rural parts even to-day a telegram is construed generally as signifying danger to one's life or one's death. With what feverish anxiety, with what heavy sighs and sobs and tears trickling from their eyes, the villagers cluster round a telegraph messenger even before the message

[Dr. U. Rama Rau.]

is delivered, read and interpreted, is known to every Indian whose lot was cast at one time or other with village life. The postman is for the simple rustic a messenger of peace, of good tidings. To deprive him therefore of the benefits of a cheap postal service and to make him pay for the Telegraph Department which benefits the Government and the commercial classes mostly is harsh, unjust and indefensible. Economy without impairing efficiency is the only aim in combining Departments together, but this object has been frustrated by the unequal yoking up of the Post and Telegraph Departments. By this combination one should naturally expect that all the functions now being discharged at present by three separate heads, such as a Postmaster General for the Postal Department, a Director for Telegraph Engineering, and one Deputy Postmaster General in charge of the Railway Mail Service, would be merged in a single individual; but, unfortunately, it is not so. In the Province of Burma however there is one single individual discharging all these duties but in India we have the same old staff maintained still. I understand the experiment in vogue in Burma has been tried recently in Bombay but it has been or is about to be discarded because a hue and cry is raised against this proposal by vested interests. From the view point of economy, therefore, this clubbing together is in no way advantageous to the public, unless the Government are able to show substantial savings under establishment, allowances, etc. Further the State telegrams swallow up a good lot of the people's money and there is no tendency of its decreasing. The Telegraph Department stands as an impregnable barrier in the way of the people getting cheap postal service because whenever the question of reduction of postal rates is raised, we are reminded of the stern fact that the Post and Telegraph Department is not paying its way yet. The public are put to great suffering in consequence. Each Department must be able to develop in its own way and must not be a hanger-on on the other. Separation of these two Departments should therefore be effected at any cost and each Department should maintain a separate account. It is only then that effective control over the working of the Departments could be exercised.

The only argument against the separation so far urged by the Government is that the telegraph charges are paid for in postage stamps and there would be difficulty in apportioning the revenues for each Department. This argument cannot hold water even for a moment. In the first place there is no reason why the telegraph charges should be paid for in postage stamps. Granting they have to be paid in stamps only, the difficulty in accounting for and arriving at the correct revenue from Telegraphs as distinguished from Posts, is not after all insurmountable. An adjustment, as is done in the case of unified receipt stamps, is all that is necessary and an average for the past few years may be taken as the basis and fixed as the revenue from the Telegraph Department, to which may be added a certain percentage annually, to allow for the normal growth and expansion of traffic. Apart from this I see no other valid ground adduced for sticking to this combined system and in the absence of any, one can only surmise that this is only a plausible excuse devised to burke the whole issue. I would therefore strongly appeal to the Government to have these Departments separated and have their accounts maintained also separately so that each may develop its resources independently of the other. With these words, Sir, I recommend the Resolution for your approval.

THE HONOURABLE MR. A. C. McWATTERS (Industries and Labour Secretary): Sir, if I rise early in the debate on this Resolution it is because the hour is getting late and I hope the few words which I have to say will tend to shorten discussion. The form of the Resolution is somewhat peculiar. It resolves itself into two parts; the first asks for the separation of the two departments and the second for the separation of the accounts. There are then two quite separate matters, administrative separation and the separation of accounts, and I will deal with the second part first.

My answer to the second part is that it has been done already. The Government took this matter up in the year 1920 and they brought out to India representatives of an expert firm of Chartered Accountants, Messrs. Price, Waterhouse & Co., who went into this matter with very great care. During the last few years detailed investigations have been undertaken in pursuance of the Chartered Accountants' report as a result of which the whole of the Postal and Telegraph accounts have been reorganised. The details of that reorganisation were laid before the Public Accounts Committee last summer in this memorandum which I have here in my hand. I will not trouble the House with all the details. Many Members of the House are familiar, no doubt, with the form of the Post and Telegraph accounts. The main feature of these accounts as reorganised is the institution of a proper Profit and Loss Account, and I would call the Honourable Mover's attention to the fact that it is not a Profit and Loss Account merely for the combined department as a whole, but it is a Profit and Loss Account for each of the three constituent branches of the department, separately for the Post Offices, separately for the Telegraph Department and separately for the Telephones; and if the Honourable Member cares to spend a little time in perusing this yellow book, which is produced at the time of the Budget, he will see that there are not only separate Profit and Loss Accounts in the summary at the beginning of the volume, but the separation is carried right through the whole of the subsidiary statements, so that the detailed accounts of the three branches of the department are already shown quite separately in the Government accounts. Moreover, it is not merely a *pro forma* account. It is a real Profit and Loss account, an integral part of the Government accounts; that is to say, the departments receive actual credits for services rendered by them and accept actual debits. In England I believe the similar department produces only a *pro forma* account. In India we have preferred to include this Profit and Loss Account as an integral part of the Government accounts. Our object in doing this was exactly the object which the Honourable Member himself has at heart in moving his Resolution. It was first of all to see whether the department as a whole is paying its way or is a burden on the tax-payer, secondly to see whether each of the constituent branches of the department is paying its way, and thirdly, as a corollary to that, whether the existing rates, for Posts, Telegraphs or Telephones, are or are not suitable. I think the House will find, when we come to discuss, as no doubt we shall, the question of postal rates before the end of the present Session, that the information which is put before them in this yellow book will enable them to get a clear idea of the commercial working of the departments separately in each of its three branches. So much, Sir, for the question of the form of the accounts.

But as the Resolution stands, it is worded much more widely. It recommends that the Postal and Telegraph Departments be separated.

[Mr. A. C. McWatters.]

That, Sir, is a very—I was going to say—retrograde measure to propose; because during the last two decades we have been moving exactly in the opposite direction. It was as long ago as 1872, I think, that the question of amalgamating the Post and Telegraph Departments was first suggested. The proposal was not accepted at that time, but during the succeeding years, a number of changes were made in the departments, which have had the result of facilitating the eventual amalgamation. I refer, for instance, to the introduction of combined post and telegraph offices, which was about 1884 or 1885, then the combination of the two departments under a single Member of Council. That was when the Commerce and Industries Department was founded in 1905, the department which I had the honour to enter as an Under Secretary 17 years ago. Another change that was made was the training of Postal Superintendents in telegraph, in order to enable them to exercise a more efficient control over the combined offices. Fourthly, there was the introduction of the Circle system in the Telegraph Department in 1910. All these changes facilitated the eventual amalgamation of the departments, and that amalgamation was not undertaken without actual careful experiment. In 1911 a detailed experiment was undertaken in the Bombay and Central Circles, under Sir Charles Stuart Wilson, as a result of which the present form of amalgamation was adopted in 1914. The principal features of that amalgamation are that the departments have been placed under a single head, the Director General of Posts and Telegraphs, and the engineering and traffic work of the Telegraph Department have been separated. The telegraph traffic work is now controlled by Postmasters General. That is the main feature of the fusion between the departments, as it stands at present.

I may add that in 1925 the Ryan Committee in their majority report have given their considered opinion that the present line of amalgamation is the correct one. I will not go into the question whether any further fusion is possible. The Honourable Mover himself referred to various experiments which are in progress of which indeed I informed him yesterday in answer to a question which he asked in this House.

I turn now to the benefits which were anticipated from this amalgamation. In the first place, we are following the policy which had been adopted by the United Kingdom, and I think by most other important countries, in amalgamating their Post and Telegraph Departments. The position in England is very much the same as here. They have a combined department of Posts and Telegraphs with a separate Telegraph Engineering branch. In the second place, it is obvious that a single administrative head of two allied departments is better for the purposes of co-ordination. Thirdly, it is fairly obvious that the engineering staff in the Telegraph Department are far more likely to do their real work properly if they are relieved of traffic duties, which is the main feature of the present amalgamation. If you consider the very great improvements that have been effected in the technique of telegraphy, the introduction of modern telegraph inventions for speeding up traffic, if you consider the improvements in long-distance telephones, how we can speak from Delhi to fifty places in India, if you consider all these things, then you will agree that these improvements could hardly have been carried out if the telegraph engineers had continued to be hampered by traffic duties.

Finally, the most important question in regard to this amalgamation is the question of economy. As a result of the amalgamation there was an immediate saving of 8½ lakhs, owing to the reduction of 28 posts. Those 28 posts at present rates of pay would represent about 4½ lakhs. Quite apart however from that direct saving, there is a further saving caused by the greater facilities which the combination of the departments allows for the opening of combined offices. The number of combined offices has been increased by about 600 in the last ten years and the number would have been considerably larger had it not been for the War. Secondly, there is great economy in inspection, because the same officer is in most cases able to do the double inspection of both sides of the office, which otherwise would have required extra expenditure in travelling allowances, if a telegraph officer had to come and inspect the same office. There is a saving of time, money and correspondence in the opening of these combined offices.

I think it would be a great mistake to go back on the present policy. It is very much easier to break up an organisation than to build one up. Our own experience has shown that it is not at all an easy matter to amalgamate two departments, the recruitment to which has been of different classes of officers and on different lines. There are vested interests that grow up and it has only been slowly and with considerable difficulty that the present fusion has been attained. I think the House will readily agree that it would be a retrograde step to accept what this Resolution asks, or appears to ask, that the Post and Telegraph Departments should be separated. As to the separation of the accounts, I have already explained that that has been done, and completely done already.

~~THE HONOURABLE THE PRESIDENT:~~ The question is :

"That the following Resolution be adopted :

"This Council recommends to the Governor General in Council that the Post and Telegraph Departments be separated and accounts separately maintained for them in future."

The motion was negatived.

RESOLUTION RE REDUCTION OF RAILWAY FARES FOR THIRD CLASS PASSENGERS.

~~THE HONOURABLE SETH GOVIND DAS~~ (Central Provinces General): Sir, I rise to move the Resolution which stands in my name. It reads as follows:

"This Council recommends to the Governor General in Council to take immediate steps to reduce railway fares for third class passengers by at least 33 per cent."

At this late hour I do not want to take up much of the time of this Honourable House and I shall finish with a few remarks only on this Resolution. Let it not be understood, Sir, that it has now become a kind of annual amusement to move such Resolutions in the Indian Legislative Assembly or in the Council of State. There is no doubt that more than

[Seth Govind Das.]

once this Resolution was moved in the Assembly, and if I move it to-day in this House, it is because I think that the Government did not hear the appeals of the people at that time and, though some few concessions have been made, they are far from satisfactory.

It is the dire necessity of the people that makes us move these Resolutions again and again. Whenever we go to our constituencies, or when we are at home, we receive bundles of requisitions for reducing third class fares and it shows the very pressing nature of this grievance.

No, Sir, if we go into the merits of the question we see that 98 per cent. of the passengers who travel in India are travelling in the third class and 80 per cent. of the earnings of the Railways are from third class passengers. The profits from the third class passenger traffic is about one crore of rupees, and what has been done to relieve the third class passenger?

An Honourable Member: What is one crore?

THE HONOURABLE SETH GOVIND DAS: The profits per year. I quote these figures from the Railway Report.

Then, Sir, what has been done for them in this very long period? We see that the first and second class fares have been reduced considerably, and the fares of the first and second classes are paid by people who can easily pay much more than they are paying now. The people who travel by the third class and their hardships, the Government themselves know. The average income of the people of this country was estimated at the time of Lord Curzon at about Rs. 25. Now Government say that it has increased to a very great extent. It might have, but even supposing it is Rs. 100 per year, is it not very hard for those people who travel in the third class to pay such high fares as they are paying now? In these hard times it is very difficult to have sufficient money for even one's bread and butter, and it is very difficult for the people of India to feed themselves, to cover their bodies and to arrange for medicines for their families. Then, Sir, travelling is another necessity for which they must provide. Third class passengers do not travel for luxury, they travel for business only. Therefore, Sir, something should be done for them. Then we must see what comforts they have for their money. Very little, because first and second class passengers have all the comforts often at the expense of the third class passengers. Let me make that point clear. On an average, Sir, two carriages are attached on railways for four first class passengers, while for 250 third class passengers only eight carriages are provided. Thus first class passengers get 14 times more space in addition to fans and so many other things than the third class passengers, and they have to pay only six times more money than the third class passengers have to pay. Then, Sir, there is another thing. First class passengers have facilities for sleeping. Now in other countries no first class passengers have facilities for sleeping; they have to pay extra for sleeping facilities. Then, Sir, with so many comforts for the first class, and none at all for third class, if third class passengers have to pay so much it is really an injustice to them. Therefore, I request this House to adopt my

motion and at least to do bare justice to third class passengers. Well, Sir, I am afraid the Honourable the Commerce Member will get up and ask from where he is to get the revenues to make up the deficit. Well, it is his look-out to do that. As my Honourable friend Mr. Ramadas Pantulu said this morning, we are not responsible for making the Budget. He is responsible and he should see from where he is to make up the deficit. I would however make one suggestion to him. Let him increase the first class fares, let him increase the second class fares, and let him charge for sleeping accommodation as is done in other countries, and this will to some extent make up the deficit. With these few remarks I move my Resolution.

THE HONOURABLE SIR CHARLES INNES (Commerce Member): Sir, the Honourable the Mover of this Resolution has been commendably brief, and I propose to follow his example. His first statement was that many Resolutions had been moved in the Assembly for the reduction of third class fares and as no action had been taken it was necessary for the Members of this Council to bring up the matter again and again. Sir, it would lighten the labours of members of Government and of my Department on this question if Honourable Members who move Resolutions of this kind would take the trouble to study the history of Indian Railways for the last three years and satisfy themselves as to what the Government and the Railway Board have done in this matter. I have here, but will not bore the House by reading them, a long list of the reductions made on every railway in India in the last three years in third class fares and in all fares.

THE HONOURABLE SETH GOVIND DAS: I did not say nothing had been done, I only said very little has been done and it is far from satisfactory.

THE HONOURABLE SIR CHARLES INNES: Only last year on most railways we made very considerable reductions in fares. We did so, being a business body, because we hoped that by making these reductions of fares we should stimulate traffic. When the Honourable Member in about 11 days' time hears the Budget statement which I will have to lay before another place and Sir Clement Hindley will have to lay before this Council, he will find that that hope has not been realised and that the reductions of fares that we have made, especially of third class passenger fares, have led to a considerable loss of revenue.

Then, Sir, the Honourable Member proceeded to make the astounding statement that the amount of revenue which the Railway Board derives from passenger traffic was in the neighbourhood of one crore per annum. (*The Honourable Seth Govind Das*: "I said one crore profit, not revenue".) Let me tell the Honourable Member that if this Council were to pass his Resolution and if the Government were to accept it, the loss of revenue which we should incur would be in the neighbourhood of 11 crores per annum. That is what the Honourable Member's Resolution would cost the country, 11 crores per annum. And, Sir, he gets up and calmly makes the suggestion that it is my business to make up this loss of revenue, that I must get back this 11 crores by raising first class fares. I think I need say no more.

THE HONOURABLE SETH GOVIND DAS: I only said that was one of the things which would make it up; I did not say the whole of it could be made up by that.

THE HONOURABLE THE PRESIDENT: The question is:

"That the following Resolution be adopted:

'This Council recommends to the Governor General in Council to take immediate steps to reduce railway fares for third class passengers by at least 33 per cent.'

The motion was negatived.

The Council then adjourned till Eleven of the Clock on Friday, the 11th February, 1927.
