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THE  
**LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

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(20th February to 8th March, 1935)



**FIRST SESSION**

OF THE

**FIFTH LEGISLATIVE ASSEMBLY,  
1935**



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1935.

# Legislative Assembly.

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RAJA SIB VASUDEVA RAJAH, KT., C.I.E., M.L.A.

MR. N. M. JOSHI, M.L.A.

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# LEGISLATIVE ASSEMBLY.

Thursday, 7th March, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

## MEMBER SWORN.

Mr. Ram Chandra, C.I.E., M.B.E., M.L.A. (Government of India: Nominated Official):

## INCORRECT REPORT OF THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY BY THE PRESS.

**The Honourable Sir Nripendra Sircar** (Leader of the House): With your permission, Sir, I should like to draw your attention to a certain statement appearing in the press as regards statements supposed to have been made by you. I am not drawing your attention to other mistakes. I have got a transcript of the shorthand notes, and this is what you actually said:

*“Mr. President (The Honourable Sir Abdur Rahim): This is not a point of order. No doubt strong language has been used on one side, but it is for the other side to consider whether equally strong language should be used by the other side or not.”*

The statement in the *National Call* of today is . . . . .

**Some Honourable Members:** Louder please.

**The Honourable Sir Nripendra Sircar:**

“The President pulled up the Law Member by stating that the Law Member could not very well object to the language of another Member if he preferred to use the same language himself.”

You said nothing of the kind, you did not pull me up, but said something which is the opposite of it. Then the paper says:

“Thereupon, the Law Member remarked he had nothing to say,”

which is wholly untrue. I do not want any protection, so far as I am concerned, against any press, but I draw your attention to the fact that the statement attributed to you is the very opposite of what you actually said.

**Mr. President** (The Honourable Sir Abdur Rahim): I am glad the Honourable the Leader of the House has drawn my attention to what has appeared in the *National Call*. What I said on the occasion has been correctly reported in the official report and what is put into my mouth is exactly the reverse, as was pointed out, of what I said.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Is a copy taken by the Reporters supplied to the press?

**Mr. President** (The Honourable Sir Abdur Rahim): It is understood no copies are supplied. The Chair takes it, the press correctly take down what passes in this House.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): May I ask whether there is any power or any authority to control the press from deliberately putting words into the mouths of Honourable Members who may not be by any means so important as yourself or the Leader of the House, but ordinary men like myself who may get up to speak and into whose mouth the press will deliberately put words which they may never have uttered? Is there any remedy?

**An Honourable Member**: Issue a contradiction to the press.

**Mr. President** (The Honourable Sir Abdur Rahim): The only remedy that the Chair knows of at present is that the President issues passes to the press gallery and in case of any serious misconduct it is certainly within the power of the President to refuse or withdraw any pass that has been issued. Beyond that the Chair is not prepared to say whether the President has any other power. But, in this case, the Chair does not think it is necessary to take any such extreme step.

#### QUESTIONS AND ANSWERS.

##### CREATION OF CATERING DEPARTMENTS ON STATE RAILWAYS.

700. **\*Mr. Ahmad Ebrahim Haroon Jaffer**: (a) Are Government aware that there is no special catering department on any State Railway to supervise the wholesomeness of food-stuff sold at the Railway stations and Refreshment Rooms and to direct and control their vending?

(b) Is it a fact that the present executive agency of the Railway to whom the above work is entrusted are required to do this work in addition to their legitimate duties?

(c) Are Government aware that the sale of unwholesome food-stuff at Railway Stations and the method of its keep and sale have been criticised by Railway passengers in the Press as well as in their complaints to the Railway authorities?

(d) Are Government aware of the vital importance of the efficiency of these catering arrangements at Railway stations to the health, safety and convenience of the public while in travel?

(e) Are Government aware that a special catering department was created on the Eastern Bengal Railway for the effective management of this work?

(f) Are Government aware that as a result of the system introduced by this Department there was public satisfaction with regard to the sale of food-stuff at Railway Stations, and is it a fact that it was a source of income to the Railway?

(g) Do Government propose to have a regular catering department on every Railway, specially trained to supervise, direct and control the sale of food-stuff at the Railway stations?

**Mr. P. R. Rau:** (a) There is no special catering department as such, but control is exercised through inspection by officers of the Traffic and Medical Departments.

(b) The work is a part of their legitimate duties.

(c) Government are aware that there have been complaints.

(d) Yes.

(e) and (f). I would refer my Honourable friend to the reply I gave on the 5th March, 1935, to his question No. 699.

(g) As the House is aware, Government propose to review the whole question of catering as soon as certain information called for by them has been received.

**Dr. Ziauddin Ahmad:** May I ask one question? I understand that the matter was referred to the advisory committees of various railways. Have the Government any information as to whether the advisory committees have already considered the proposal, and, if not, when they are likely to consider?

**Mr. P. R. Rau:** Which matter? Is it the abolition of the food inspectors?

**Dr. Ziauddin Ahmad:** I understand that the whole question of catering was referred to the advisory committees of various railways. May I know whether the Government have got any information whether the advisory committees have already considered it, or when they will consider this question?

**Mr. P. R. Rau:** If my Honourable friend is referring to the general question, Government have received reports from about seven or eight railways after consulting their local advisory committees, but not from all.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member why these advisory committees should not be associated with catering and inspection of catering arrangements?

**Mr. P. R. Rau:** I should think that this is part of the executive functions of the railway.

**Mr. Lalchand Navalrai:** When the public is suffering so much and when there are complaints, why should not the advisory committees also be joined to enquire into these matters?

**Mr. President (The Honourable Sir Abdur Rahim):** That is merely arguing.

**Mr. Lalchand Navalrai:** I am putting a question. Is the Honourable Member prepared to associate the advisory committees?

**Mr. P. R. Rau:** The advisory committees act in an advisory capacity. They have no executive functions.

**Mr. Lalchand Navarat:** But is the Honourable Member prepared to give them some hand in the matter, so that they might advise the Agents?

**Mr. P. R. Rau:** Certainly. They are entirely at liberty to advise the Agent in any matter they like.

**Mr. President** (The Honourable Sir Abdur Rahim): Next question.

**Lieut.-Colonel Sir Henry Gidney:** A supplementary question, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. The next question has been called.

#### FARE AND FOOD CHARGES FIXED FOR HAJ PILGRIMS.

701. **\*Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware that the charge fixed at Rs. 178, including fare for every pilgrim going to Haj, is considered very excessive by pilgrims so travelling?

(b) Are Government aware that the Government of India Haj Enquiry Committee had recommended Rs. 165 per pilgrim as fare, including food charges in paragraph 135 of their Report of 1930?

(c) Have Government taken any action to carry out the said recommendation of the Haj Enquiry Committee's Report? If not, why not?

**Mr. Ram Chandra:** (a) Government have seen a resolution to this effect passed at a public meeting of the Mussalmans of Bombay, held on the 22nd December, 1934.

(b) Yes.

(c) As a result of negotiations between Government and the shipping company, the fare has been reduced considerably.

**Dr. Ziauddin Ahmad:** May I now what is the meaning of "considerable"? From what figure to what figure?

**Mr. Ram Chandra:** When the Haj Enquiry Committee submitted its report, it was Rs. 195 at that time and did not include food charges; it is now Rs. 178 and includes food charges.

**Maulvi Muhammad Shafi Daudi:** Is it not a fact that the Haj Enquiry Committee had taken all points into consideration and then recommended Rs. 165 as the fair rate for a pilgrim?

**Mr. Ram Chandra:** The difference between the figure recommended by the Haj Enquiry Committee and the figure which has now been fixed, namely, Rs. 178, is almost entirely due to the rise in the sanitary dues at Jeddah which is due to the fluctuations in exchange.

**Maulvi Muhammad Shafi Daudi:** May we know what further considerations were before the Government in order not to accept the recommendations of the Haj Enquiry Committee?

**Maulana Shaukat Ali:** This Rs. 178 includes food also?

**Mr. Ram Chandra:** Yes.

**Maulana Shaukat Ali:** And food both times?

**Mr. Ram Chandra:** Yes.

**Dr. Ziauddin Ahmad:** Is it not a fact that the Haj Enquiry Committee recommended Rs. 165 including food?

**Mr. Ram Chandra:** Yes, that is so. But at that time the sanitary dues at Jeddah amounted only to Rs. 15. Since then, owing to fluctuations of exchange, the sanitary dues which are fixed in gold are equal to Rs. 26 now.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Is there any possibility of this being reduced in the near future?

(No reply.)

**Mr. President** (The Honourable Sir Abdur Rahim): Next question.

UTILISATION OF THE CABINS OF THE LOWER DECK AS FIRST CLASS ON BOARD  
THE NEW VESSEL S. S. "ISLAMI".

702. **\*Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware of the fact that accommodation for 100 first class passengers has been made on board the new vessel S.S. "Islami", in which cabins of the lower deck have also been treated as those of first class?

(b) Do Government propose to take steps to have the lower deck cabins treated as second class?

**Mr. Ram Chandra:** (a) First class cabin accommodation is provided on the S.S. "Islami" on two decks namely, the promenade deck and the upper deck. No such accommodation is located in the lower decks.

(b) Does not arise.

**Maulvi Muhammad Shafi Daudi:** Why should the cabins in the lower deck be allowed to be converted into first class?

**Mr. Ram Chandra:** There are no cabins on the lower deck. The first class cabin accommodation is either on the upper deck or on the promenade deck which is still higher.

WANT OF FIRST CLASS ACCOMMODATION FOR PASSENGERS RETURNING FROM  
HAJ.

703. **\*Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Are Government aware of the fact that first class passengers, while returning from Haj, do not find accommodation in the first class cabins and have to travel on deck?

(b) Is it a fact that the Agents of the Steamship companies take in writing from first class passengers a certificate, waiving their right of refund of first class fare while travelling on deck on return journey, when in fact the Steamship companies cannot provide first class accommodation on return journey?

(c) Do Government propose to take steps to see that refund is allowed to passengers who are made to sail on deck for finding no accommodation in the first class?

(d) Are Government prepared to have the necessary grievances redressed before the coming Haj Pilgrimage?

**Mr. Ram Chandra:** (a) Government are aware that a number of first class pilgrims have returned as deck passengers by the first available boat instead of waiting at Jeddah for higher class accommodation to which their tickets entitled them by later boats.

(b), (c) and (d). Government understand that since 1933 the shipping company have been allowing refunds in such cases. In order to remove the shortage of first class accommodation, the company have also added this year to their fleet a new ship "Islami" which provides accommodation for 100 first class passengers.

**Dr. Ziauddin Ahmad:** May I know what is the answer to (b):

"Is it a fact that the Agents of the steamship companies take in writing from first class passengers a certificate waiving their right of refund of first class fare?"

**Mr. Ram Chandra:** Government have no information whether such a guarantee was taken in writing.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Will Government take steps to find out?

**Mr. Ram Chandra:** It does not seem necessary, as Government understand that the steamship companies have been allowing refunds since 1933.

#### RATES CHARGED FROM HAJ PILGRIMS FOR FOOD.

704. **Mr. Ahmed Ebrahim Haroon Jaffer:** (a) Is it a fact that the following rates are charged from Haj pilgrims for food for classes marked against each:

- Rs. 76 for first class;
- Rs. 51 for second class; and
- Rs. 20 for deck?

(b) Are Government prepared to arrange to charge the following rates from the passengers of the classes marked against each:

- Rs. 50 for first class;
- Rs. 30 for second class; and
- Rs. 16 for deck?

**Mr. Ram Chandra:** (a) and (b). The amount charged for the supply of food on the double journey between Bombay and Jeddah is Rs. 78 in the case of first and second class pilgrims and Rs. 20 in the case of deck passengers. The Government of India do not consider that a reduction in this scale is feasible at present.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Why is the charge for first and second class the same?

**Mr. Ram Chandra:** The food supplied to first and second class passengers is the same. Therefore, there is no difference.

**SERVICES OF LADY DOCTORS FOR TREATMENT OF LADIES ON HAJ STEAMERS.**

**705. \*Mr. Ahmed Ebrahim Haroon Jaffer:** Are Government prepared to consider taking necessary steps to move in the matter of engaging the services of lady doctors for treatment of *pardanasheen* ladies on the Haj steamers every year?

**Mr. Ram Chandra:** The Government of India do not consider it to be reasonable to ask the steamship companies to incur the extra expenditure which acceptance of this proposal would involve. This was also the view of the Haj Enquiry Committee.

**DECCANI MUSLIM SOLDIERS AND OFFICERS IN THE INDIAN ARMY.**

**706. \*Mr. Ahmed Ebrahim Haroon Jaffer:** Will Government be pleased to state:

- (a) the number of Deccani Muslim soldiers and officers in the Indian Army;
- (b) the number of Deccani Muslims recruited to the Indian Army in all its ranks from the year 1929 to date;
- (c) whether it is a fact that the military authorities have decided not to recruit any Deccani Muslims in the Indian Army; if so, why;
- (d) whether it is also a fact that the Deccani Muslims are being gradually retrenched from the Indian Army; if so, why; and
- (e) whether Government are prepared to reconsider their policy in this matter with a view to continue recruiting Deccani Muslims in the Indian Army?

**Mr. G. R. F. Tottenham:** (a) 400 on the 1st January, 1935.

(b) 520.

(c) and (d). Yes. The class is being allowed to waste out of the army on account of the difficulty experienced in obtaining sufficient suitable recruits.

(e) No.

**Mr. Ahmed Ebrahim Haroon Jaffer:** There are a sufficient number of Deccani Muslims coming forward for recruitment?

**Mr. G. R. F. Tottenham:** The Honourable Member's information appears to be opposed to the information that I have on this subject.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if Government are prepared to revise the list of martial people?

**Mr. G. R. F. Tottenham:** No, Sir.

**Munshi Iswar Saran:** Am I to understand that there is no prohibition against the recruitment of Deccani Mussalmans in the Indian army?

**Mr. G. R. F. Tottenham:** Until recently, they have been recruited in a certain number of cavalry regiments, but the information given by the military authorities is that a sufficient supply of suitable recruits is not forthcoming. Therefore, they are being allowed to waste out of the army.

**Mr. Ahmed Ebrahim Haroon Jaffer:** May I know how many are officers and how many soldiers of the 400 mentioned in reply to part (a)?

**Mr. G. R. F. Tottenham:** I should require notice of that. I did not get the figures separately.

#### WATER-COURSES FOR IRRIGATION OF LAND IN THE DELHI PROVINCE.

707. **\*Mr. M. Asaf Ali:** (a) Is it a fact that the water-courses for irrigation of land in the Delhi Province have recently been narrowed, and the area under irrigation in 1934-35 has consequently shrunk as compared with the area under irrigation in 1930-31?

(b) Is it a fact that the prices of agricultural produce in the Delhi Province have in comparison with the prices of 1930, fallen, and that the water rate for irrigation has not been proportionately reduced?

**The Honourable Sir Frank Noyce:** The information has been called for and a reply will be placed on the table of the House in due course.

#### INDIANS AND BRITISHERS WITH KING'S COMMISSION IN THE INDIAN ARMY.

708. **\*Mr. M. Asaf Ali:** (a) Will Government be pleased to state how many Indians have received King's Commission since 25th August, 1917?

(b) (i) How many of them are still serving in the Army; (ii) how many have retired in due course; and (iii) how many have retired before completing their career or been dismissed, and after what period of service and why?

(c) How many Britishers have received King's Commission during the same period, in the Indian Army?

(d) How many of these British Officers have retired or been dismissed before completing their career?

**Mr. G. E. F. Tottenham:** (a) 248.

(b) (i). 196.

(ii) None.

(iii) Retirements and Resignations—47 of which:—

Under 5 years' service	...	...	...	17
Between 5 and 10 years' service	...	...	...	17
Between 10 and 15 years' service	...	...	...	12
And Over 15 years' service	...	...	...	1
			<b>Total</b>	<b>47</b>
<b>Removals</b>	...	...	...	<b>2</b>
Under 5 years' service	...	...	...	1
Between 10 and 15 years' service	...	...	...	1
			<b>Total</b>	<b>2</b>
<b>Deaths</b>	...	...	...	<b>8</b>
			<b>Total</b>	<b>52</b>

The reasons for which the officers were removed or applied to resign their commissions or to retire from the service are confidential.

(c) and (d). The information is not readily available. During the war years, officers were recruited in wholly abnormal numbers, while after the war, in 1922 and 1923 alone, the services of over 2,000 British officers were dispensed with prematurely, in order to bring the establishment of the Indian Army down to normal. Even if I were to collect the information, it would, therefore, be useless for purposes of comparison.

**Mr. M. Asaf Ali:** May I know why this particular information is confidential? Any political reason, or military reason, or other reasons?

**Mr. G. E. F. Tottenham:** The personal reasons why different officers retire from the service are not generally made public.

**Mr. S. Satyamurti:** May I know if there is any truth in the belief that these Indian commissioned officers are discouraged, and are encouraged to get out of the service?

**Mr. G. E. F. Tottenham:** There is no truth in that.

**Mr. T. S. Avinashilingam Chettiar:** Are they compulsorily retired?

**Mr. G. E. F. Tottenham:** A certain number of them have been removed. I said that there were two who have been removed compulsorily. The remainder either retired or resigned.

**Mr. T. S. Avinashilingam Chettiar:** Were they compelled to retire or to resign by the military authorities themselves?

**Mr. G. E. F. Tottenham:** Retirements and resignations are voluntary. It is perfectly true that in certain cases an officer is given the option of resigning or being proceeded against, which may result in his removal. I cannot say from these figures in how many cases that occurred. No doubt there were some. That applies to British officers also.

**Mr. T. S. Avinaahilingam Chettiar:** Apart from private reasons, were there any other reasons?

**Mr. G. E. F. Tottenham:** I cannot give the reasons. They are treated as confidential.

**Mr. T. S. Avinaahilingam Chettiar:** Any general reasons?

**Mr. G. E. F. Tottenham:** There are no general reasons. They are individual reasons.

**Mr. S. Satyamurti:** May I know if there is any difference in the treatment of Indian and British commissioned officers?

**Mr. G. E. F. Tottenham:** There is absolutely no difference. It is our policy to maintain exactly the same standard of efficiency for Indian and British officers.

**Srijut N. O. Bardaloi:** After attaining the rank of Captain, how many of them are made to retire?

**Mr. G. E. F. Tottenham:** I have just given the figures. As the Honourable Member is no doubt aware, there is a time scale of promotion in the Indian Army. It takes nine years to be promoted Captain. The figures I have given are between 5 and 10 years' service, 17, and between 10 and 15 years' service, 12. Therefore, presumably about 12 were in the rank of Captain.

**Srijut N. O. Bardaloi:** Were any Indians retired just before attaining the rank of Major?

**Mr. G. E. F. Tottenham:** Sir, I told the House the other day that certain Indian officers had been promoted to the rank of Major already. I should like to qualify that statement to some extent. What I was thinking of was services like the I.M.S., where many Indian officers have been promoted to the rank of Major. In the Indian Army combatant forces, there is a time-scale system of promotion and it requires eighteen years to be promoted to the rank of Major. That is exactly the same for Indian and for British officers. Now, Indianisation was started seriously somewhere about 1920. Therefore, the Honourable Member will see that no Indian officer has yet had enough service to be promoted to the rank of Major. Such officers will come up for promotion to the rank of Major in about 1938.

**Srijut N. O. Bardaloi:** Is there any examination of competence for promotion to Majorships—do they have to pass any qualifying examination for such promotion?

**Mr. G. R. F. Tottenham:** They have to pass promotion examinations for promotion to the ranks of Captain and Major.

**Srijut N. O. Bardaloi:** How many passed the Major's examination before being retired?

**Mr. G. R. F. Tottenham:** I must have notice of that question.

**Sardar Sant Singh:** How many of these officers have been dismissed, and how many have been discharged?

**Mr. G. R. F. Tottenham:** I have just given that information in reply to the question. I have said that two were definitely dismissed and the remainder, that is, 47, have either retired or have resigned their commissions voluntarily.

**Sardar Sant Singh:** Those that were discharged were discharged on the ground that their services were no longer required, or on account of court-martial proceedings being taken against them?

**Mr. G. R. F. Tottenham:** Two of them were dismissed as the result of disciplinary action—I do not know whether it was court-martial or disciplinary action proceedings.

**Sardar Sant Singh:** If an officer is made to retire, do they frame any charge against him and give him an opportunity to meet that charge?

**Mr. G. R. F. Tottenham:** Certainly, Sir.

**Sardar Sant Singh:** Is it not a fact that many officers are made to retire without any charge having been framed against them?

**Mr. G. R. F. Tottenham:** Certainly not.

**Munshi Iswar Saran:** Will the Honourable Member kindly supply this information if it is convenient: how many officers were asked to retire without being dismissed? Have I made myself clear?

**Mr. G. R. F. Tottenham:** Sir, I will see if I can get that information, but I think I am correct in saying that, out of these 47 retirements and resignations, about 20 were asked to resign their commissions, and the remainder did so purely voluntarily.

**Mr. T. S. Avinashilingam Chettiar:** May I know if there are any general reasons for their being asked to retire?

**Mr. G. R. F. Tottenham:** There are no general reasons: they are individual reasons.

**Srijut N. O. Bardaloi:** Was any court of enquiry held regarding the retirement of any of them?

**Mr. G. R. F. Tottenham:** As I have just explained to my Honourable friend, Sardar Sant Singh, there were only two cases of definite removal from service as the result of disciplinary proceedings. In those cases, either a court of enquiry or a court-martial or some departmental proceedings were no doubt held.

**Sardar Sant Singh:** May I ask one supplementary question more? Is it or is it not a fact that a person who is made to retire asks for a court of enquiry, and a court of enquiry is not given to him, and if he is made to retire without his being able to submit his case to such court of enquiry?

**Mr. G. R. F. Tottenham:** I am not sure that I follow the Honourable Member's question, but no one is made to retire without being given a full opportunity to defend himself.

**PAYMENTS MADE TO INDUSTRIAL EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, NEW DELHI, FOR THEIR ATTENDANCE ON CLOSED HOLIDAYS AND SUNDAYS.**

709. **\*Mr. D. K. Lahiri Chaudhury:** (a) Will Government be pleased to state how payments are made to the industrial employees of the Government of India Press, New Delhi, for their attendance on closed holidays and Sundays?

(b) Is it a fact that for some time the industrial employees of the said Press were paid at the following rates for their attendance on closed holidays and Sundays?

**CLOSED HOLIDAYS.**

<i>Period.</i>	<i>Payments.</i>
Day-(8 hours basis)	Pay for the day <i>plus</i> 25 per cent.
Overtime for 2 hours in excess of the normal working hours of the day	Pay for 2 hours <i>plus</i> 50 per cent.
Overtime in excess of 2 hours after the normal working hours of the day	Pay for overtime <i>plus</i> 75 per cent.

**SUNDAYS.**

Day-(8 hours basis)	Pay for the day <i>plus</i> 50 per cent.
Overtime for 2 hours in excess of the normal working hours of the day	Pay for 2 hours <i>plus</i> 75 per cent.
Overtime in excess of 2 hours after the normal working hours of the day	Pay for overtime <i>plus</i> 100 per cent.

(c) If the answer to the above be in the affirmative, do Government propose to investigate for report as to how such huge excess payments were made to the employees of the said Press against the Standing Government Orders on the subject? Who were responsible for this?

(d) Will Government please state when this irregularity was detected and what was the actual amount paid in excess to the employees, and also whether the amounts paid in excess were recovered from the employees concerned or written off?

**The Honourable Sir Frank Noyce:** (a) All work done on Sundays for which no compensatory holiday is given or on closed holidays is treated as overtime. For work on such Sundays salaried industrial employees receive a bonus of 50 per cent. over their proportional rates of salary and piece-workers a corresponding amount over their class rates. For work on closed holidays the rate of bonus is 25 per cent.

(b) Yes.

(c) The overpayments were made on account of misinterpretation of Government orders by the Press Management and were objected to by the audit authorities. The matter was set right on a reference to Government.

(d) In 1932. Figures of the actual amount paid in excess to the employees are not available. The amounts paid in excess were waived.

**COST OF LABOUR FOR JOB EXECUTED DURING SPECIAL OVERTIME HOURS IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI.**

710. **\*Mr. D. K. Lahiri Chaudhury:** (a) Is it a fact that a Department is required to pay the cost of labour for the job executed during the special overtime hours in the Government of India Press, New Delhi? If so, how were the costs realised from the Departments?

(b) Is it a fact that lately in the Government of India Press, New Delhi, while an employee was paid for overtime hours *plus* 50 per cent. allowance for working special overtime for a job, in realising the cost in cash from the Departments concerned only 50 per cent. (allowance) was realised? If so, will Government be pleased to state why the full amount of the cost of the labour, *viz.*, pay of the employees for overtime hours *plus* 50 per cent. allowance is not realised from the Departments concerned?

(c) Is it a fact that previously full cost of labour was realised from the Department concerned? If so, will Government be pleased to state since when this change has been made and under whose orders?

(d) What is the total amount thus realised from the Departments concerned?

(e) Was this ever detected in Audit?

**The Honourable Sir Frank Noyce:** (a) A Department is required to pay only the extra charges on account of special overtime worked on its behalf in the press. These charges are realized by the press in cash on presentation of bills.

(b) Yes; for the period of special overtime worked, the employees are paid at the ordinary rates *plus* 50 per cent. As the additional percentage represents the extra charge which would not have been borne by the press, if the job had been executed during ordinary working hours, a Department is required to pay only this percentage.

(c) No. The second part does not arise.

(d) Rupees 680 were realized from Departments during 1934-35 as extra charges for special overtime.

(e) Does not arise.

**SYSTEM OF PAYMENT IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI,  
AFTER THE REDUCTION OF WORKING HOURS.**

711. \***Mr. D. K. Lahiri Chaudhury:** (a) Is it a fact that there are two classes of employees in the Government of India Press, New Delhi, one whose pay is fixed on eight hours' basis, and the other whose pay is fixed on ten hours' basis—the latter being fixed higher than the former in proportion to the number of working hours? If so, will Government be pleased to state why on the reduction of working hours to nine hours a day under the Revised Factories Act, payment to the Press employees concerned continued to be made on ten hours' basis?

(b) Is it a fact that the piece-workers' earnings in the Press are diminished by the reduction of working hours but those working on fixed salaried basis are unaffected? If so, what steps do Government propose to take in order to observe uniformity in respect of payment to two classes of employees in the Government of India Presses?

**The Honourable Sir Frank Noyce:** (a) The position is not exactly as stated by the Honourable Member. Certain employees are entitled to overtime payment for working on any day in excess of the normal working hours calculated on the basis of 48 hours a week. As explained in the reply I gave on the 26th February, 1934, to the Honourable Member's starred question No. 289, certain heads of industrial sections were hitherto required, if necessary, to work up to ten hours on any day without receiving overtime allowance. The position of these men has, however, been altered by the new Factories Act and the question is receiving the attention of the Controller.

(b) The Factories Act has not made any reduction in the normal hours of work. The reduction in overtime permissible affects equally the rank and file of the employees whether they are employed on salaries or on piece rates, and in any case Government cannot recognise any right to overtime work. The latter part of the question, therefore, does not arise.

**ARRANGEMENTS MADE BY THE BENGAL AND NORTH WESTERN RAILWAY  
DURING THE LAST ARDODHYA YOGA.**

712. \***Mr. B. B. Varma:** (a) Are Government aware that the Ardodhya Yoga which occurs once in several years, fell after 27 years this year on the most important day of the Magh Amavasya, which occurred on the 3rd February, when thousands of pilgrims go to bath in the Ganges and other sacred rivers?

(b) Are Government aware if the Bengal and North Western Railway Company, made any special arrangements to meet the huge rush of travelling pilgrims?

(c) Are Government aware that pilgrims were put to great hardship for want of accommodation in the trains and were packed like sardines in their compartments?

(d) Are Government aware that railway tickets were freely issued without any regard whether there was any accommodation or not, and as many as 75 second class passengers were packed in one compartment and the Railway authorities paid no heed to the request of prominent respectable gentlemen to run special trains or attach special carriages to the train, and that many gentlemen were left waiting at Sonapur and Muzaffarpur stations for over 24 hours for want of accommodation in the train?

(e) Are Government prepared to take necessary action to stop such behaviour on the part of the Railway authorities?

**Mr. P. R. Rau:** (a) I am quite prepared to accept the Honourable Member's statement.

(b), (c), (d) and (e). I lay on the table a copy of a report from the Agent, Bengal and North Western Railway. Government consider that though it is possible the Bengal and North Western Railway Administration under-estimated the probable rush, they did all in their power to deal with the situation in the best way possible. The fact that the number of pilgrims carried was over two lakhs, that every available passenger coach was used, and that the special trains run to meet the rush numbered 116 is evidence of this.

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*Copy of letter No. 17540/T.18-6, dated the 19th February, 1935, from the Agent, Bengal and North Western Railway, to the Secretary, Railway Board.*

With reference to your memorandum No. 6152-T., dated 16th February, 1935, I beg to remark as follows:

- (a) and (b). The festival known as Ardodhya Yoga fell on 3rd February, 1935, coinciding with the Magh Mela at Allahabad. Special trains as well as all available spare stock on the Railway were utilized to cope with the traffic. Whilst a considerable traffic in Pilgrims was to be expected towards Allahabad, no information could be obtained as to the extent or incidence of pilgrim traffic peculiar to the Ardodhya mela. As the rush developed, particularly in Tirhoot, stock concentrated for Allahabad traffic was transferred to Tirhoot in addition to stock already sent there to strengthen regular trains, every available carriage and type of passenger carrying stock being brought into use. The total number of special trains run on the Tirhoot section of the Bengal and North Western Railway to meet the rush was 116.
- (c) The overcrowding of trains to Ghat stations was unavoidable. But overcrowding was not due to the action of Railway servants, but because trains were rushed at all stations on the route, and it was not found possible to exclude pilgrims from stations or from trains.
- (d) It is not possible to stop the issue of tickets because particular trains are known to be short of accommodation, nor would this prevent passengers from boarding such trains, as is shown by the fact that over two thousand passengers were found travelling to Ghat stations without tickets. It is difficult to believe that seventy-five passengers could force their way into a second class metre gauge compartment. This statement would seem to be an exaggeration.
- (e) There was no callous behaviour on the part of the Railway authorities. As stated in para. first above every available passenger coach was in use, and it may be noted that no goods vehicles were used for the carriage of pilgrims. The number of pilgrims carried was approximately 2,30,568.

**Seth Haji Abdoola Haroon:** Are the Government of India aware that although the passengers were very much in excess, still these station masters issued tickets when they knew that there was no proper room for the passengers in the trains?

**Mr. P. R. Rau:** Sir, I cannot do better in replying to that than read out the reply of the Agent. He says:

"It is not possible to stop the issue of tickets because particular trains are known to be short of accommodation, nor would this prevent passengers from boarding such trains, as is shown by the fact that over two thousand passengers were found travelling to Ghat stations without tickets."

**Srijut N. O. Bardaloi:** Is it a fact that 75 persons were put into one second-class compartment?

**Mr. P. R. Rau:** On that point, Sir, the Agent says:

"It is difficult to believe that seventy-five passengers could force their way into a second class metre gauge compartment. This statement would seem to be an exaggeration."

**Mr. Lalchand Navalrai:** May I ask why there were no arrangements made for the checking of those persons that were travelling without tickets?

**Mr. P. R. Rau:** Obviously, Sir, the trains were rushed.

**Dr. Ziauddin Ahmad:** Have the Railway Board ever considered the point that in such cases there might be some kind of co-ordination between the different railways—that is, why did not the B., B. & C. I., which has got a metre gauge, and also the E. B. R., send some of their wagons to the B. & N. W. R.?

**Mr. P. R. Rau:** I hope my Honourable friend does not suggest that the passengers should have been carried in wagons, but, as I have already told him, Government consider that it is possible that the B. & N. W. R. under-estimated the probable rush.

**Dr. Ziauddin Ahmad:** I asked, did they ever consider the point that in cases of such special rush, the Railway Board might find it possible, under their own direction, to give relief to one line by lending out carriages from other lines?

**Mr. P. R. Rau:** In such cases, if the Railway Administration had any reason to think that their stock was not enough to meet the emergency, they would themselves obtain stock from neighbouring Administrations. In this particular case, the Eastern Bengal Railway might have been asked to lend stock, but they also had a similar rush at the time.

**Dr. Ziauddin Ahmad:** And the B., B. & C. I.?

**Seth Haji Abdoola Haroon:** May I request the Government to put before this House figures showing, in respect of those days, how many tickets were issued for passengers and what was the actual accommodation on those trains?

**Mr. P. E. Rau:** I have already said that the number of pilgrims carried was approximately 280,000.

**Seth Haji Abdoola Haroon:** Within how many days, and in how many trains?

**Mr. P. E. Rau:** The number of special trains run to meet the rush was 116.

**Prof. N. G. Ranga:** What was the number of carriages attached to such a train and the number of seats available for all these passengers?

**Mr. P. E. Rau:** I am afraid I have not got the information with me at the present moment.

**Prof. N. G. Ranga:** May I ask for this information to be supplied?

**Seth Haji Abdoola Haroon:** Is it not a fact that at these stations of the North Western Railway the platforms were overcrowded, and yet the station masters were issuing their tickets to the people and collecting money from these poor people?

**Mr. P. E. Rau:** As I have already explained, it is not found possible to exclude the pilgrims from stations or from trains, because the staff at the disposal of each station was unable to stand the rush.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Is the Honourable Member aware of the fact that this is also the grievance of the Great Indian Peninsula Railway, and will he consider the possibility of stopping this nuisance in the future?

**Mr. P. E. Rau:** I do not believe that this particular *Mela* did affect any station at the Great Indian Peninsula Railway.

**Mr. Ahmed Ebrahim Haroon Jaffer:** I do not mean this *Mela*.

**Mr. President (The Honourable Sir Abdur Rahim):** Order, order. That question does not arise.

**Maulvi Muhammad Shafi Daoodi:** Are Government aware that the station masters of important stations plead their inability either to attach more carriages or to run duplicate trains, because they have not got the power to do so on such occasions?

**Mr. P. E. Rau:** On this particular occasion, the railway has reported that every available passenger coach was in use.

**Dr. Ziauddin Ahmad:** Will not Government lay this question either before the Railway Conference or any of its sub-committees in order to consider the desirability of having some co-ordination in cases of rush, so that the carriages belonging to the other railways may be utilised?

**Mr. P. E. Rau:** Under the present arrangements, a Railway Administration would ordinarily arrange to borrow carriages from neighbouring Railway Administrations when it finds that its available stock is not enough.

**Prof. N. G. Ranga:** Only it failed here in this case?

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. Next question.

#### RECONSTRUCTION OF THE NARAINPUR (BAGAHA) BRIDGE ON THE BENGAL AND NORTH WESTERN RAILWAY.

713. \***Mr. B. B. Varma:** (a) Will Government be pleased to state if the Bengal and North Western Railway are going to reconstruct the Narainpur (Bagaha) bridge on the Gandak river on Narkatiaganj-Gorakhpur line?

(b) Are Government aware that due to abandonment of this bridge, the trade of Champaran District with the United Provinces suffers a great deal?

**Mr. P. E. Rau:** (a) The latest proposal is not to reconstruct the Bagaha Bridge but to build a new bridge some 100 miles down the river as part of the Chekie-Sidhwalia project. The question is under consideration; but it is doubtful whether the project will be sufficiently remunerative.

(b) I am quite prepared to take it from the Honourable Member that the construction of the bridge would assist local trade.

#### WANT OF LATRINES IN THIRD CLASS CARRIAGES ON THE BENGAL AND NORTH WESTERN RAILWAY TRAINS.

714. \***Mr. B. B. Varma:** Are Government aware that there are no latrines in the third class carriages of the Bengal and North Western Railway trains as follows?

- 21 Up—Muzaffarpur-Narkatiaganj,
- 23 Up—Muzaffarpur-Narkatiaganj,
- 24 Down—Narkatiaganj-Muzaffarpur,
- 22 Down—Narkatiaganj-Muzaffarpur,
- 35 Up—Bairania-Narkatiaganj,
- 31 Up—Darbhanga-Narkatiaganj,
- 34 Down—Narkatiaganj-Bairania,
- 36 Down—Narkatiaganj-Darbhanga,
- 1 G Up—Bhiknathori-Narkatiaganj,
- 3 G Up—Bhiknathori-Narkatiaganj,
- 2 G Down—Narkatiaganj-Bhiknathori,
- 4 G Down—Narkatiaganj-Bhiknathori,
- 1 D Up—Narkatiaganj-Bagaha,
- 3 D Up—Narkatiaganj-Bagaha,
- 2 D Down—Bagaha-Narkatiaganj,
- 4 D Down—Bagaha-Narkatiaganj,
- 1 R Up—Raxaul-Segauli,
- 3 R Up—Raxaul-Segauli,
- 25 Up—Jainagar-Segauli,
- 2 R Down—Segauli-Raxaul,
- 4 R Down—Segauli-Raxaul,
- 26 Down—Segauli-Jainagar.

**Mr. P. E. Rau:** Government have no information, but are making enquiries from the Agent, Bengal and North Western Railway.

**Maulvi Muhammad Shaf Daudi:** Is this a matter over which such a long time should be taken to find out whether some trains on the Bengal and North Western Railway have no latrines?

**Mr. P. E. Rau:** The information is not available in the office of the Railway Board.

**Prof. N. G. Ranga:** Is the Honourable Member aware of the fact that the same trouble is experienced in many other railways also?

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order; That question does not arise.

**Mr. Sri Prakasa:** Will Government instruct the railways to construct these latrines?

**Mr. P. E. Rau:** Government prefer to await the report from the Railway Administration showing the circumstances in which latrines are not provided in these trains.

**Mr. Sri Prakasa:** The Honourable Member can take it that this is a fact and issue the necessary instructions.

**Dr. Sauddin Ahmad:** Is it not a fact that Government are now considering a new design of the third class carriages which will meet all the requirements of the third class passengers?

**Mr. P. E. Rau:** A new design is under consideration.

COTTON QUOTATIONS GIVEN BY THE BOMBAY BROADCASTING COMPANY.

715. \***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether the Bombay Broadcasting Company were giving till the 1st of June, 1984 the quotations at 9 P.M. every night on the opening of the cotton market at New York and Liverpool ruling rates and Bombay broach quotations, and the next morning the closing quotations;
- (b) whether they have stopped the morning quotations from the 1st of June, 1984;
- (c) whether they are now giving quotations only at 1 P.M. every day;
- (d) whether it is a fact that owing to weather conditions it is not heard in Madras and other places; and
- (e) whether Government propose to take steps to direct the Company to give the morning quotations as usual?

**The Honourable Sir Frank Boyce:** (a) The facts as stated by the Honourable Member are correct except that broadcasting at Bombay is carried out by the Indian State Broadcasting Service.

(b) The broadcasting of the early morning quotations was stopped from the 1st July, 1934.

(c) Quotations are still given at 9 P.M. as well as at 1 P.M.

(d) Reception conditions vary considerably but it is probable that the morning broadcasts can be received rather more distinctly than the other broadcasts in certain places and at certain times of the year; at no time, however, can good reception be expected at places as distant from Bombay as Madras.

(e) The Government of India are at present carrying out a detailed investigation of the question of the broadcasting of commercial information and their decision will depend on the result of that investigation.

**Mr. S. Satyamurti:** Are Government investigating the question contained in part (e) also, among other things?

**The Honourable Sir Frank Noyce:** In regard to part (e), I have said that the Government of India are carrying out a detailed investigation.

**Mr. S. Satyamurti:** I want to know if they are carrying out a detailed investigation in this matter also.

**The Honourable Sir Frank Noyce:** Government are carrying out a detailed investigation in the matter of broadcasting commercial information. I do not know to what matter specially my Honourable friend is referring.

**Mr. S. Satyamurti:** I am referring to morning quotations particularly.

**The Honourable Sir Frank Noyce:** That is part of the investigation.

**Mr. Ahmed Ebrahim Haroon Jaffer:** Will the Honourable Member consider the proposal of broadcasting the Assembly proceedings?

(No answer.)

**Mr. S. Satyamurti:** Sir, I am tired of asking questions contained in parts (a) and (b), and, therefore, I wish to ask only part (c) of my question.

#### POSITION OF GOVERNMENT AFTER THE VERDICT OF THE LEGISLATIVE ASSEMBLY REJECTING THE INDO-BRITISH PACT.

716. \***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether the Government of India are considering their position after the verdict of the Legislative Assembly rejecting the Indo-British Pact;
- (b) the reasons why they decided not to accept the verdict of the Legislative Assembly; and]
- (c) whether they were over-ruled by the Secretary of State in the matter?

**The Honourable Sir Joseph Blore:** (c) The normal practice is not to disclose the nature of communications which have passed between the Secretary of State and the Government of India. As a special case, I am giving a categorical reply on this particular occasion. The answer is in the negative.

**Mr. S. Satyamurti:** May I take it that the Government of India were consulted by the Secretary of State, before he made the statement in the House of Commons saying that the result of the vote is nil?

**The Honourable Sir Joseph Blore:** I must adhere to the procedure which I have just now indicated, namely, not to disclose what has passed between the Secretary of State and the Government of India.

**Mr. S. Satyamurti:** I wish to ask your ruling, Sir, in this matter. I submit that what is contained in the Standing Order is this—that, in matters of controversy between the Secretary of State and the Government of India, questions may be asked only as regards questions of fact. In this matter, there is no controversy, because the Honourable the Commerce Member has said that there is no question of the Secretary of State having over-ruled him. Therefore, there is no controversy. I am, therefore, submitting to you that we are entitled to an answer to our question, as to whether the Secretary of State consulted the Government of India, before he gave the answer in the House of Commons that the result of the vote is that the agreement stands.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair thinks that question was raised before. It is quite open to Honourable Members to put questions as regards the communications that have passed between the Government of India and the Secretary of State, but at the same time, the Chair thinks, the Governor General has authority to disallow any information being given which he considers to be detrimental to public interest. And when Honourable Members, sitting on the Treasury Benches, representing the Government of India, refuse to disclose any communication that has passed, it is to be presumed that they do so on grounds that it will be detrimental to public interest to disclose any such information.

**Mr. S. Satyamurti:** I accept your ruling, Sir, but I wish to make one submission. I only want the Honourable the Commerce Member to consider this matter and I beg of you not to make any presumption. They must take the responsibility of stating from the Treasury Bench that, to answer the question whether the Secretary of State was consulted before or after his statement in the House of Commons, it would be detrimental to public interest. I beg of you to say that it would be against the rules and the Standing Orders if you were to presume that they did so because they thought that it would have a detrimental effect upon public interests.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair has already given its ruling, and, if necessary, it will re-consider the matter. But the Chair does not think that it has been ever the practice to compel Members of Government to disclose information which they consider to be detrimental to public interest.

**RESULT OF THE WORKING OF THE OTTAWA PREFERENCES.**

717. \***Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether Government have examined the result of the working of the Ottawa Preferences up to date; and
- (b) whether they will place the results of the enquiry on the table of the House?

**The Honourable Sir Joseph Bhoré:** (a) and (b). The attention of the Honourable Member is invited to the Report on the working of the Scheme of Preferences resulting from the Ottawa Trade Agreement up to the end of the fiscal year 1933-34, copies of which are in the Library of the Legislature. This report was taken into consideration by a Committee appointed by the Legislative Assembly for the purpose which submitted its report on the 31st August, 1934. A similar report for the year ending 1934-35 will be prepared in due course.

**Dr. Ziauddin Ahmad:** Is it not a fact that this report was presented to the last Assembly at the very end of the Session and that it was not discussed as there was no time for that Assembly to discuss it?

**The Honourable Sir Joseph Bhoré:** I think that is a fact.

**Dr. Ziauddin Ahmad:** In view of the fact that the report was not considered by the last Assembly, will Government allow the present Assembly to discuss it?

**The Honourable Sir Joseph Bhoré:** I do not think that there was ever an undertaking given that an opportunity would be afforded to discuss these separate reports. The whole question, as I have already intimated to the House, will be placed before the House next year when all these reports can be considered.

**Sardar Sant Singh:** Is it not a fact that a day was allotted in the last Simla Session for the discussion of this report?

**The Honourable Sir Joseph Bhoré:** I am not aware of that.

**Mr. Sami Vencatachelum Chetty:** When the Government placed the report before the previous Assembly, why should they decline to place it before this Assembly?

**The Honourable Sir Joseph Bhoré:** It was never placed before the last Assembly in the sense that it was placed for discussion. It was only presented to the Assembly.

**Mr. T. S. Avinashilingam Chettiar:** Did not the Honourable Member say in reply to a question by Mr. Mathuradas Vissanji that he will bring up this report for discussion this year during this Session?

**The Honourable Sir Joseph Bhoré:** I said nothing of the kind. I said next year.

**Mr. S. Satyamurti:** While this report was placed before the Assembly last year, are Government prepared to place now before the House the report for the subsequent year?

**The Honourable Sir Joseph Bhoré:** The report, I take it, will be prepared after the figures come in, and my belief is that the agricultural figures will not be available until the end of May. As soon as the report is ready, it will be made available to the House.

**Mr. Sami Vencatachelam Ohetty:** To whom did the last Committee report?

**The Honourable Sir Joseph Bhoré:** To the Assembly.

**Mr. Sami Vencatachelam Ohetty:** Then, if they reported to the Assembly, is it not the duty of the Government to present it to the Assembly for their consideration?

**The Honourable Sir Joseph Bhoré.** I do not follow the argument of my Honourable friend.

**Mr. Sami Vencatachelam Ohetty:** If the report had been intended for the Assembly, should not the report be placed before the Assembly for their consideration?

**The Honourable Sir Joseph Bhoré:** The report has been placed for the information of the Assembly. The consideration of the report will come when the whole question is raised before the Assembly next year.

**Dr. Ziauddin Ahmad:** Is it not a fact that an assurance was given by the Government that the report will be considered by the Assembly and that the Government also undertook to allot a day for that purpose?

**The Honourable Sir Joseph Bhoré:** Will my Honourable friend bring to my notice the occasion on which the alleged assurance was given?

**Mr. H. P. Mody:** Does not the report say that there were not sufficient materials for the purpose of arriving at a definite conclusion?

**The Honourable Sir Joseph Bhoré:** That, I think, is quite correct.

**Sir Cowasji Jehangir:** May I ask on a question of principle, if this Assembly appoints a Committee to investigate a certain matter and that Committee reports, is it not the duty and the privilege of this House to consider that report as soon as that report is available?

**The Honourable Sir Joseph Bhoré:** I am not prepared to answer what is or what is not the privilege of the House. But what I say is that these reports are annual reports, which will be placed before the House for its consideration which must come within a certain limited time.

**Sir Cowasji Jehangir:** The answer to my question which the Honourable Member has given implies that Government have a right to hold up a report and not allow this House to consider it. I want an answer to this question.

**The Honourable Sir Joseph Bhoré:** Not in the least. The report is not being held up. As soon as it is ready, it is presented to the House.

**Sir Cowasji Jehangir:** But it is not considered by the House.

**The Honourable Sir Joseph Bhoré:** For the simple reason that consideration will come at the end of the period when this House itself decided that consideration should take place.

**Mr. T. S. Avinashilingam Chettiar:** Do not Government contemplate the view that if we find the Agreement to be against our national interests, we may give notice of the termination of the Agreement, and this step we cannot take unless the report is discussed by the House?

**The Honourable Sir Joseph Bhoré:** It is open to my Honourable friend to give notice of a motion if he can find a suitable occasion for doing so.

#### DUTY ON WHEAT IMPORTED INTO INDIA.

718. **\*Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether there is any proposal to extend the duty on foreign wheat imported into India beyond the 31st March, 1935;
- (b) if so, what action they will take in the matter; and
- (c) if not, why not?

**The Honourable Sir Joseph Bhoré:** (a), (b) and (c). I would refer the Honourable Member to the reply given to part (a) of Sardar Sant Singh's starred question No. 467 on the 23rd February, 1935.

**Mr. Lalchand Navalrai:** May I know if the Honourable Member has received representations from the commercial communities to extend this Wheat Import Duty Act further?

**The Honourable Sir Joseph Bhoré:** I have received representations from many commercial bodies.

**Mr. Lalchand Navalrai:** Is the Honourable Member considering them?

**The Honourable Sir Joseph Bhoré:** Yes, Sir. Certainly.

**Mr. Lalchand Navalrai:** What is the result?

**The Honourable Sir Joseph Bhoré:** My Honourable friend must wait and see.

**Mr. Lalchand Navalrai:** How long have I got to wait?

**The Honourable Sir Joseph Bhoré:** Not necessarily longer than the end of the Session.

**Mr. S. Satyamurti:** In view of the fact that this duty expires on the 31st March, 1935, may I know whether Government propose to extend it beyond that date?

**The Honourable Sir Joseph Bhoré:** If Government propose to do so, action will be taken before the date of the expiry.

**Seth Haji Abdoola Haroon:** If the import duty is taken away, are Government aware of the price at which Australian wheat will be imported into India?

**The Honourable Sir Joseph Bhoré:** Government are aware of all relevant factors.

**Mr. S. Satyamurti:** And yet will not come to any conclusion?

**Dr. Ziauddin Ahmad:** Did Government consult the Agricultural Department on this particular question, and what was their opinion?

**The Honourable Sir Joseph Bhoré:** I am not prepared to disclose what the Government have done in the way of consulting opinion in this matter. The facts are before them, and, as I have already said in my reply to Sardar Sant Singh, they are considering the matter and they will take the necessary action if they think action is required to be taken at once.

**Sardar Sant Singh:** Have Government received any representation from the Punjab Government on this subject?

**The Honourable Sir Joseph Bhoré:** I want notice.

STATE OF HEALTH OF CERTAIN STATE PRISONERS DETAINED UNDER  
REGULATION III OF 1818 IN THE BOMBAY PRESIDENCY.

719. **\*Mr. S. Satyamurti:** Will the Honourable the Home Member be pleased to state the state of health of Messrs. Manoranjan Gupta, Arun Ch. Guha, Bhupendra Kumar Dutta and Satya Bhusan Gupta, now detained in the Bombay Presidency under Regulation III of 1818?

**The Honourable Sir Henry Craik:** I would refer the Honourable Member to the reply given by me to part (c) of Mr. Basanta Kumar Das' starred question No. 385 on the 21st February, 1935.

**Mr. S. Satyamurti:** What is the latest information about their health?

**The Honourable Sir Henry Craik:** No information later than that.

**Mr. D. K. Lahiri Chaudhury:** Will Government obtain the latest information and inform this House?

**The Honourable Sir Henry Craik:** No, Sir.

**Mr. S. Satyamurti:** Why not?

**Mr. D. K. Lahiri Chaudhury:** Why should we not get the latest information?

**The Honourable Sir Henry Orsk:** Because none of these persons is suffering from bad health. The reports received only ten days ago are to the contrary.

**Mr. S. Satyamurti:** The last answer was given on the 21st February, 1935, and it is now more than ten days. I am asking the Honourable the Home Member as to the reasons why he will not enquire about their health and give us the latest information available.

**The Honourable Sir Henry Orsk:** The information available 13 days ago was that the State Prisoners are keeping good health and two of them have gained in weight. I do not see any reason to make further enquiry after an interval so short.

#### DIFFICULTY EXPERIENCED BY SOUTH INDIAN PASSENGERS FROM CEYLON.

**720. \*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they are aware that the South Indian passengers from Ceylon experience much difficulty in respect of their baggage in view of the fact that Notification No. 31, dated the 30th August, 1930 lacks detailed information of the articles that may be conveyed by the passengers;
- (b) whether Government have considered that most of the passengers coming from Ceylon are labourers and carry with them articles, such as cotton piece-goods, silk cloths, soaps, toilet requisites, gramophones, etc., for their personal use; and
- (c) whether these articles are not permitted to them free of examination by the customs authorities.

**Mr. A. J. Raisman:** (a) Government have in the past received representations on the subject.

(b) Government are aware of the nature of this passenger traffic and the articles usually carried.

(c) Articles which are *bona fide* personal effects and not intended for sale, are, with certain exceptions, specified in the Baggage Rules, exempted from duty within limits which the Collector of Customs considers reasonable. The baggage of all passengers is liable to examination.

**Mr. S. Satyamurti:** Is it a fact that, in the case of these unfortunate labourers, every one of them is subject to the examination of his baggage?

**Mr. A. J. Raisman:** I have pointed out that the baggage of all passengers is liable to examination.

**PERMANENT LOCATION OF A PORTION OF SECRETARIAT OFFICES IN DELHI.**

721. \*Mr. S. Satyamurti: (a) Will Government please state the occasions on which the proposal for keeping some portions of the Secretariat Offices permanently in Delhi was made and considered by Government during the last ten years?

(b) Will Government be pleased to state the reasons which led to the proposal being dropped or deferred on each occasion?

(c) What amounts have been approved and spent during the last five years or so on the provision of:

(i) adequate water supply to meet the requirements of summer months,

(ii) medical and hospital facilities, and

(iii) suitable residential accommodations, in New Delhi?

(d) When do Government propose to keep a portion or the whole of the Secretariat permanently in Delhi?

**The Honourable Sir Henry Craik:** (a) During the past ten years Government have considered the question twice, first in 1927-28 and again in 1938.

(b) On each occasion Government came to the conclusion that the existing arrangement is definitely the most efficient.

(c) I lay a statement on the table.

(d) Not until constitutional changes require it.

*Statement.*

(c) (i) A Statutory body known as the Delhi Joint Water Board is responsible for the water supply in all the Municipal areas including New Delhi. Government have sanctioned a loan of Rs. 17½ lakhs to this body for the extension of the water supply throughout the year. Up to the end of February, 1935, the instalments of the loan which have actually been paid amount to Rs. 10,46,508-5-0.

2. The following figures show the distribution of water to the New Delhi Municipal Committee during the last five years and the total expenditure incurred by the New Delhi Municipality thereon:

Year.	Final issue rate in annas per thousand gallons.	Thousand gallons Summed.	Amount. Rs.
1929-30	2-71	2,74,493	46,492
1930-31	2-61	3,13,474	51,157
1931-32	2-55	3,63,446	57,924
1932-33	2-55	3,55,318	56,829
1933-34	2-78	2,74,285	47,321

(ii) The Medical Department was transferred to the New Delhi Municipal Committee by the Central Public Works Department on the 1st November, 1931. Since then the expenditure incurred on the construction and equipment of the Willingdon Hospital amounts to Rs. 1,58,040, out of which a sum of Rs. 1,40,500 was in the form of a generous donation made by Her Excellency the Countess of Willingdon. Government have also sanctioned the construction of a hospital to be located in the vicinity of the Delhi Gate at a cost not exceeding Rs. 25 lakhs, which is intended to serve the needs of both Old and New Delhi throughout the year. Construction has already commenced and upto date Rs. 2,58,399 has been spent on this account.

The annual recurring expenses borne by the New Delhi Municipal Committee on the entire Medical Department are as follows :

1931-32 (5 months)	Rs. 47,526
1932-33	.. 70,873
1933-34	.. 80,301
1934-35 (Budgeted)	.. 85,000
	Rs. 2,83,700

(iii) Rs. 48,15,345.

**Mr. S. Satyamurti:** Have Government considered the question, apart from efficiency, from the point of view of economy in public expenditure?

**The Honourable Sir Henry Craik:** Yes, Sir.

**Mr. S. Satyamurti:** What is their conclusion? May I know if the Government of India have come to the conclusion, on grounds of economy, that it is the most desirable arrangement to keep a capital for five months, and shift it to another place for seven months in the year?

**The Honourable Sir Henry Craik:** I should say that that is a very wide question, but considerations of economy were considered. If they abandoned their property in Simla altogether, that would not be an economic process.

**Mr. S. Satyamurti:** What are the reasons on which Government have come to the conclusion that economically it is better to have this migratory capital?

**The Honourable Sir Henry Craik:** I said efficiency.

**Sardar Sant Singh:** May I know if the opinion of the Members of the last Assembly was called for on this question?

**The Honourable Sir Henry Craik:** The Honourable Member had better put down a question; I am not certain.

**Sardar Sant Singh:** Is it a fact that Members of the last Assembly were asked to give their opinion on this matter of migration to Simla during summer?

**The Honourable Sir Henry Craik:** Not so far as I am aware

**Sir Cowasji Jehangir:** May I ask the Honourable Member whether he has attempted to visualise the effects of a Session of this Assembly in the month of August in Delhi?

**The Honourable Sir Henry Craik:** I think that was also a relevant consideration which was borne in mind.

**Mr. S. Satyamurti:** Is the Honourable Member aware that several Europeans and Indians, both official and non-official, live and work throughout the 12 months in New Delhi?

**The Honourable Sir Henry Craik:** So far as I am aware, most Honourable Members of the Legislature greatly prefer to have the summer Session in Simla.

**Mr. S. Satyamurti:** Will the Honourable Member consult this House on that matter?

**The Honourable Sir Henry Craik:** There are plenty of ways of bringing the wishes of this House to my notice.

**Mr. S. Satyamurti:** What are the grounds of economy on which the Government of India have come to the conclusion that it is better to continue the present arrangement?

**The Honourable Sir Henry Craik:** One obvious ground for economy is that the Government of India own very valuable property in Simla which it would be very bad economy to abandon.

**Mr. H. P. Mody:** Is the Honourable Member aware that there is a much larger number of both Europeans and Indians who do not want to work in this delightful place in summer?

**The Honourable Sir Henry Craik:** Yes, Sir.

**Mr. S. Satyamurti:** Are Government aware that they are people who are mostly parasites, and have no idea of the poverty in this country?

**The Honourable Sir Henry Craik:** No, Sir.

**Mr. H. P. Mody:** My Honourable friend can call himself a parasite if he likes. There is no objection at all on my part.

#### PROTECTION TO THE INDIAN PLAYING CARD INDUSTRY.

722. **\*Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether Government are considering any proposal to give protection to the Indian playing card industry;
- (b) at what stage the proposal stands; and
- (c) whether Government propose to consider favourably the question of giving protection to this industry as early as possible?

**The Honourable Sir Joseph Bhow:** (a), (b) and (c). Government have received representations from the Indian Playing Cards Industry for assistance against Japanese competition, which are receiving attention.

**Mr. S. Satyamurti:** When do Government hope to come to a conclusion?

**The Honourable Sir Joseph Bhoré:** To the best of my recollection, that representation was received about a month ago, and my Honourable friend must give me some time to consider it.

**Seth Haji Abdoola Haroon:** May I ask how many playing card factories there are in India?

**The Honourable Sir Joseph Bhoré:** I cannot tell that straight off.

**Seth Haji Abdoola Haroon:** What is the amount of playing cards that has been produced in India up till now?

**The Honourable Sir Joseph Bhoré:** That also I cannot give my Honourable friend very definite information about.

**Dr. Ziauddin Ahmad:** Will the Honourable Member consider all these facts before making up his mind finally?

**The Honourable Sir Joseph Bhoré:** My Honourable friend must give the Commerce Member credit for considering all relevant facts before he comes to a conclusion.

**Sir Cowasji Jehangir:** Will my Honourable friend inform this House whether the questioner has ever played with Indian cards?

**Mr. B. Das:** Will the Honourable Member consult well known Bridge players of this House before he gives this protection?

**Pandit Nilakantha Das:** Are the materials required for manufacturing playing cards made in India?

**Mr. President (The Honourable Sir Abdur Rahim):** Next question.

#### PERSONNEL OF THE INDIAN LAC RESEARCH INSTITUTE.

723. **\*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) the number, the names and the qualifications of those who are now employed in the Indian Lac Research Institute;
- (b) whether there is any proposal for legislation on lac cess to be placed before the Legislative Assembly by Government; and
- (c) whether Government are satisfied that the Institute is serving the purpose for which it was founded?

**Mr. Ram Chandra:** (a) On the assumption that the Honourable Member desires information in respect of the superior technical staff of the Institute, a statement is laid on the table.

- (b) A proposal to amend the Indian Lac Cess Act is under consideration.

(c) Government have no reason to think that the Institute is not serving the purpose for which it was founded. The competition of synthetic products has given greater importance to the problems of industrial utilisation of lac. Research with these is being carried on by a special staff. The Committee have decided, as stated in reply to Mr. Ram Narayan Singh's question No. 254 on the 14th February, 1965, to review the whole programme of the Institute in the light of recent developments.

*Statement regarding the Indian Lac Research Institute.*

*Names and qualifications.*

1. Mrs. D. Norris, Director and Biochemist	B.Sc. (Honours in Chemistry, Manchester) M. Sc. (Manchester) Associate of the Institute of Chemistry.
2. Mr. P. M. Clover, Entomologist	B.Sc. (Honours in Zoology, Leeds).
3. Dr. R. W. Aldis, Physical Chemist	B.Sc. (Honours in Chemistry, London) Ph.D. (London) Associate of the Royal College of Science (England) Diploma of the Imperial College of Science (South Kensington).
4. Mr. A. K. Thakur, 1st Assistant to Biochemist	M.Sc. (with distinction and gold medal) Bombay, Associate, Indian Institute of Science.
5. Mr. P. S. Negi, Assistant Entomologist	M.Sc. (Benares Hindu University).
6. Mr. M. Rangaswami, 1st Assistant to Physico Chemist	B.A. (Mysore University) Associate, Indian Institute of Science.
7. Mr. N. N. Murty, 2nd Assistant to Biochemist	M.Sc., Associate, Indian Institute of Science, Bangalore.
8. Mr. M. Venugopalan, 1st Field Chemist to Biochemist	M.Sc., Associate Indian Institute of Science, Bangalore, Associate Institute Chemistry.
9. Mr. S. Ranganathan, 2nd Field Chemist to Biochemist	B.A.
10. Mr. M. P. Miara, 1st Field Assistant to Entomologist	M.Sc.
11. Mr. S. N. Gupta, 2nd Field Assistant to Entomologist	M.Sc.
12. Mr. S. C. De, Analytical Chemist	B.Sc.

**Mr. B. Satyamurti:** Was there any expert inquiry at any time conducted into the working of the Institute? If so, what was the result of that inquiry?

**Mr. Ram Chandra:** I should like to have notice of that question.

**Dr. Ziauddin Ahmad:** Have Government ever received any report of the research done in this Institute? If so, will Government be pleased to lay that report before the House?

**Mr. Ram Chandra:** I have no information at the moment, but I will find out.

**RECOGNITION OF TRADE UNIONS REGISTERED UNDER THE TRADE UNION ACTS.**

**724. \*Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether all Trade Unions registered under the Trade Union Acts are recognised by the employers;
- (b) whether some railway unions so registered have not yet been recognised by the Railway Administration; and
- (c) the reasons for this non-recognition?

**The Honourable Sir Frank Noyce:** (a) The answer is, I think, in the negative but Government have no definite information.

(b) Yes.

(c) Registration is not the only condition specified as necessary in the Recognition Rules before a Union can be recognized; and while Government are anxious to make the recognition of registered trade unions of their own industrial employees as easy as possible, a certain amount of discretion has to be exercised before recognition can be granted.

**Mr. S. Satyamurti:** Is that discretion absolute as to the employers or have Government laid down any kind of general principles or directions which they have to be guided by in recognising or not recognising trade unions?

**The Honourable Sir Frank Noyce:** Discretion must obviously be absolute unless there is legislation on the subject.

**Prof. N. G. Ranga:** Is it not a fact that the railway authorities are not really anxious to encourage the growth of trade unions on the railways?

**The Honourable Sir Joseph Bhoré:** No, Sir; I do not think there is any truth in that suggestion.

**Lieut.-Colonel Sir Henry Gidney:** Is there any rule prohibiting Government servants, specially those employed on the railways, from joining trade unions?

**The Honourable Sir Frank Noyce:** None whatever.

**Lieut.-Colonel Sir Henry Gidney:** Are Government aware of the fact that Railway Agents prohibit or discourage their servants from joining trade unions, and, if they are members of trade unions, they are made to feel that they are doing something wrong and are treated with disfavour?

**The Honourable Sir Joseph Bhoré:** I am not aware of any such thing.

**Prof. N. G. Ranga:** What are the considerations that are taken into account in deciding which trade union is to be recognised and which trade union is not to be recognised?

**The Honourable Sir Frank Noyce:** I should say the main consideration is whether the trade union is one which is prepared to co-operate. Without co-operation, recognition is obviously useless.

**Mr. S. Satyamurti:** May I know if a trade union is recognised, if it stands up for its own members, irrespective of co-operation or otherwise, which will depend upon circumstances?

**The Honourable Sir Frank Noyce:** If a trade union is doing its best in the interest of its members in a spirit of co-operation, naturally it would be recognised.

**Prof. N. G. Ranga:** Do Government mean by co-operation that every trade union should accept every decision given by the Government of India and the railway authorities about the conditions of work, wages, etc.?

**The Honourable Sir Joseph Bhoré:** No, Sir, certainly not.

**Mr. N. M. Joshi:** May I ask what meaning Government attach to the word "recognition"?

**The Honourable Sir Frank Noyce:** I think my Honourable friend, who was a member of the Labour Commission, which went into the question, among others, of compulsory recognition, knows the meaning of the word better than I do.

**Mr. N. M. Joshi:** I want to know what meaning Government attach, and not what meaning I attach to it.

**The Honourable Sir Frank Noyce:** There are definite recognition rules which I think have been placed in the Library of the House; and they sufficiently show what recognition means.

**Prof. N. G. Ranga:** Is the decision not to recognise a union final, or is it liable to be revised from time to time according to change of circumstances?

**The Honourable Sir Frank Noyce:** Obviously recognition can be withdrawn.

**Dr. Ziauddin Ahmad:** Can a trade union consisting of railway employees be recognised by Government?

**The Honourable Sir Frank Noyce:** Of course; a trade union consisting of any Government employees can be recognised by Government.

**Mr. President (The Honourable Sir Abdur Rahim):** Before I ask Honourable Members to proceed to the discussion of the demands for grants, I wish to make it clear that when, in answer to a question raised by the Leader of the House, I said that in this particular case which was brought to my notice, of misrepresentation of what the Chair had said, I did not want to take any action, I omitted to explain that I did not want to take any action in the present case, because it is the first offence of the kind that has been brought to my notice. And I want also to make it clear to the House and to the press that if any such offence is repeated, that is to say, the proceedings of this House are in any way deliberately misrepresented in the press, the Chair will certainly use all its powers in order to put a stop to it.

## THE GENERAL BUDGET—LIST OF DEMANDS.

### SECOND STAGE.

**Mr. President** (The Honourable Sir Abdur Rahim): As regards the business of the House, the Chair has to inform Honourable Members that several of the Leaders of Parties and also representatives of Honourable Members who are not attached to any Party saw me and I have been given to understand that they have arrived at an arrangement as to how to deal with the motions of Demands for Grants. The Congress Party will take up a cut motion today regarding the Executive Council—Travelling Allowances. I may mention, with reference to that motion, that the cut motion can only be allowed to be moved with respect to the votable items and not with respect to any non-votable items, as laid down by law and established by practice: then, if any time is left, after the Congress Party's cut motion has been moved and disposed of, the Nationalist Party will move some other motion, of which I have not yet received notice. Then, on Friday, the Nationalist Party propose to take up a motion for refusal of supplies under some demand—I do not know under which demand yet, but the Nationalist Party will take up their motion on Friday. The unattached Members will take up certain motions on Saturday and, on the morning of the 11th March, that is, Monday. The European Group will move their cut motion in the afternoon of Monday; and, on the last day, that is, the 12th March, the Independent Party will move their cut motion. Any further information that may be available will be communicated to the House in due course.

As regards the time, the Chair wants to consult the House whether they want any limit to be imposed. It is the practice generally to allow twenty minutes to the Mover of a motion and fifteen minutes to the other Members, subject to the discretion of the Chair. The Chair takes it that this will suit Honourable Members, and, if that is so, that time limit will be observed.

#### DEMAND No. 28—EXECUTIVE COUNCIL.

**The Honourable Sir James Grigg** (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 73,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1936, in respect of 'Executive Council'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

"That a sum not exceeding Rs. 73,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1936, in respect of 'Executive Council'."

*General Policy of the Executive Council in the Administration of the Country.*

**Mr. Bhulabhai J. Desai** (Bombay Northern Division: Non-Muhammadan Rural): Mr. President, I have the honour to move:

"That the demand under the head 'Executive Council' be reduced to Rupee One."

In doing this, I am fully conscious somewhat of the irony of the situation which has resulted from the nature of the Constitution under which the Government of India is being carried on. If it were possible, and if it were a different Constitution, the cut motion would not apply itself to those who are subordinate to the Members of the Executive Council, and, I presume, assisting them very ably in the discharge of their administrative functions. But the convention of the House appears to be that it is only in that manner, being a votable item, it is competent to me to raise the questions which I have the honour to raise before this House. Under the Government of India Act, the estimated annual expenditure and revenue of the Governor General in Council has already been laid in the form of a statement before this House and has been the subject of a general discussion during the last two days. I have deliberately refrained from intervening in that discussion, and, whatever I have got to say, with reference to the general policy relating to the raising of monies from the Indian people or its expenditure, I reserve for another occasion which I understand is available to me when the question of the Finance Bill is before this House. But I cannot possibly introduce the subject which I wish to deal with, without, in general terms, referring to the budget that has been presented. Some time ago, I happened to read a book which I think was canvassed at considerable length in almost all the countries, because it was translated into many languages—it was a book which was a compliment to women and it was a book written by a man whose name, as an intellectual entity of the world, is not unknown. When Bernard Shaw gave an exposition of what Socialism meant, he did not do so like the earlier masters in their style: but he gave a name for the purposes of the exposition of that subject to a book which he wrote, called "The Intelligent Woman's Guide to Socialism"; and, I think he did that not so much out of compliment to women, but in order only that these subjects—adopting the phraseology which belongs to the Mover of this motion and omitting all technical jargon which it is not often possible to understand—the affairs even of a State containing a population equal to one-fifth of the human race, without much difficulty. The budget that has been presented to you—and I shall only refer to it in passing, in order only that I may come to one of the members of that family group to which I will confine myself today—I say the budget that has been presented, following the great master whom I have named, appears to me somewhat in this manner: it strikes me as a family budget; for, after all is said and done, whether it is the ways and means or expenses of an individual or family or a group or a company or a country, its main aspects must necessarily be the same. The manner and the persons from whom the money is raised and the manner in which it is proposed to be spent—and that, after all, runs through all forms known by the names of balance sheets, budgets and account keeping of every sort,—and when I consider the budget, the way in which it strikes me,—and that is how I wish to present it to the House in the somewhat familiar manner in which it is possible to look at these somewhat difficult or said to be apparently complicated issues.

Here is a budget in which some 86 crores are raised from the people, estimated to be got out of them during the course of the next year. A little less than that sum is also said to be spent during the same year, and the way in which the allocation of the expenditure is made reminds me

[Mr. Bhulabhai J. Dessai.]

somewhat of an analogy which I hope and trust will not be treated or regarded as offensive in the least degree. I have known in organic life, either in the biological or even in the vegetable kingdom, a class of growth familiarly known as parasites, and indeed that class always comes up first for whatever source the vital elements are drawn, either by a tree or by an animal. And, in this particular case, let me, Sir, with your permission, point out the salient aspects of how these parasites propose to work. First comes along the Commander-in-Chief, but I would call him in the familiar language of the analogy which I propose to adopt, as the *Durwan* or *Chowkidar* of the house, and he says to you,—“at the risk of the security which you have, you will have to allocate to me half the money which you have raised this year”. Then comes in,—I say it without any disrespect,—a class of *Munshis*, otherwise called the Civil Government of this country, who come in for the next large share of this money. Then come in, to a certain extent, people in lesser positions including the coachman, the transport officer. But the result of it all, that is, when all is said and done, except in some cases where it happens to be three or two crores, the bulk of the 86 crores is taken away by the persons whom I have named. Then, the family consisting of ourselves is invited to a discussion. Having determined what they wish to take, having determined how they wish to spend, having also the power to restore whatever little that remains, they say: “Now, you members of the family who have to put in the money by your toil, come along and join in our discussion, otherwise why are you here?” Indeed, I congratulate my friend, Sir James Grigg, on his sense of humour, because he said that his budget has come out unscathed and unchallenged. Unscathed it has come out, because we have no sword in our hands to cut it, at least an effective sword to cut it,—unchallenged indeed it was, because it was easy for him to say: “I want a little less than 86 crores, I will leave you a little which I shall presently consider, but why do you challenge the rest? Either you have not the power, or to the extent to which you have the power, we have a superior power to overcome you”—that indeed is the sense in which he meant it when he said that the budget has come out unscathed and unchallenged. But, at the same time, if we are here to any purpose at all, it is up to us to understand what is it that it means. It merely means this, that when the family has come round, out of all that they put, they say: “Oh, but I have a little for you for Aviation”, a class to which the bulk of the family don't apply and don't care for,—“I have a little for some departments in which we are carrying on investigations for your benefit, and I have out of the nine thousand lakhs, about a hundred lakhs to be distributed between the different provinces of this country in order to re-construct, ameliorate the condition of the people, the bulk of whom have provided the money”. That is the kind of budget that is being presented to the House, and it is said that we are so stupid, that we year in and year out, complain that the budget is what it is. Stupid indeed we are. We are not stupid, because we have not the intelligence or, because we have not the emotion; we are stupid, because you dare to call us so. And this reminds me of the manner in which a question was answered by one of the Honourable Members on the other side of the House when an inquiry was made as to when, according to the estimates they had formed, the Indianisation of the Army

was likely to take place, and the only answer he gave was—and I congratulate him upon it—none but a congenital idiot would ever believe (*Cries of "Shame" from Congress Benches*) that there was ever going to be a complete Indianisation of the army in India". (*Cries of "Shame, shame" from the Congress Party Benches*) . . . . .

**Mr. G. E. F. Tottenham** (Army Secretary): No, no. I rise to a personal explanation, Sir. May I explain to the Honourable Member that I never said that. What I said was that, at the present rate of Indianisation, nobody except a congenital idiot would believe that the army could ever be fully Indianised. That is what I said. And I wish to make it plain that I never meant those words as a reflection on the Honourable Member who asked the question or on any other Honourable Member, though it might reflect on my own intelligence to be asked whether I believed that such a thing was possible . . . . .

**An Honourable Member:** That is a distinction without difference.

**Mr. Bhalabhai J. Desai:** The statement has been made, I say without any disrespect, by an Englishman who speaks his own English language, but I refuse to accept that there was any genuine amendment. I was bound to give way at your request, Sir, but I do not think that any substantial alteration in the statement I have attributed to him has been made in the re-statement that has been made by the Honourable Member. Never mind, Sir,—who is the congenital idiot? That is a problem, that is a puzzle, we shall find out in due course of time; but, if it happens to be so, all I can tell him is that we are not idiots, at all events we are not congenital idiots, and if idiots we must be; idiots we shall appear, until time arrives when either we or they shall not be here to hear such a name at all. (*"Hear, hear" from the Congress Party Benches.*)

Now, Sir, I have already told the House how the money is spent; I have told the House the spirit in which the whole of the Government works, and that is the reason why I rise now to support the cut that I am moving. And after all is said and done the mere fact that a subject race or their representatives have got to get up year after year to tell the same woful tale cannot certainly lose its force merely because it has got to be repeated. I thought, on the other hand, if there was any sense, if there was any judgment in those in authority, the very fact of the repetition ought to rouse what little conscience may still be left in those who behave in the manner they do,—it is not to the individuals that my remarks are addressed, though undoubtedly sub-consciously their minds, their actions, their thoughts and their words are expressed in that manner, times without number. I have sat here for a little over six weeks; I have heard every time a question being answered, I have heard every time a request being made, and I have known and I have appreciated the spirit in which this country is being governed. It does not matter, but for the moment I am going to confine myself entirely to the administrative policy and the administrative acts of the Executive Council which the subject of the motion allows me to do. Now, in doing that, I wish to divide the subject into two parts. I propose to take first, and so far as in me lies, I shall deal with it also in a fair way,—I am one of those who believe, after the patronising sympathy we get, that there cannot be much serious difference of opinion between us and those who sit on the opposite side, that in the

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matter of the numerous branches of the national development, India is perhaps today in a most dangerously weak condition, and if we are going only to produce the money in order that the machine of the Government may run, in order that the military and civil mercenaries may thrive, it almost reminds me of what a friend told me the other day. In asking a question, in order to be able to answer it properly as to the place of man and his dignity he said, was sabbath made for man, or man for sabbath, and in the language of the opponents, sabbath was not made for man, but man was made for sabbath. India was made in order only to present an ideal of supposed efficient government, in order only that they may flourish and Indians may languish. That is the nature of the budget, that is the nature and the spirit of the Government. Indeed, we would be wanting in our duty to ourselves if we engage ourselves, as we are asked to do in entering into small details—why not say how these ten lakhs are to be spent, why not say how the other 100 lakhs are to be spent, and thereby evade the larger and the more vital issues with which we need be concerned if we are going to make any real progress at all. Not that I have no sympathy with those who raise different questions under different heads, but, at the same time, I owe it to the position which I hold in this House, that I should rise above the smaller questions into which I would naturally be drawn and drawn to no useful purpose. The position, therefore, is this. We here provide all the monies that we can raise in order only that the machine of Government may run, but in so far as the people are concerned that is the problem of every Government, though it be even a subordinate Government—how does it concern itself with them, how does it concern itself with their food, with their clothing, their health, sanitation, shelter, education, everything that makes the life, not of the men who are comfortably off and cannot understand, but of the average human being in this country? It is that which is the problem. The problem is not how the outward forms of the Empire may be maintained for the benefit of the gazing world, the achievements of an Imperial Britain. That is not the problem to us. The problem to us is a single problem, notwithstanding the time that has gone, notwithstanding the multi-millions that have been raised.

The Honourable the Finance Member has been congratulated for having graciously set apart Rs. 100 lakhs for going round the provinces in order to reconstruct the village life of the people. I am one of those who believe that you have constructed it all wrong. You ought to have constructed it on the broad basis of the foundation of the village life instead of the high edifice of the outer shell that you have created. It is not for that for which we live, and that brings me to the manner in which the administration has been carried on with reference to the relation in which the Government for the time being stands in relation to the people at large. In relation to the people at large, how have they stood during the year under review? During the year under review, and perhaps a year or two before, they were faced with what they did not very much like, which indeed in the earlier stages they wanted to vilify, to laugh at and condemn, but which it took them nearly two years to fight and suppress, and I am here today. If we are to be met in the spirit in which we daily are treated and in which all our resources are daily exhausted, you will be, not we, you will be the true originators of a genuine mass revolution which would prevent you from saying what you

say and then alone would you probably be able to understand whether or not all this patronising attitude, the manner in which every rupee of mine is being spent, the manner in which every ounce of gold is taken out of the Indian mass—it is only then that you will understand what mass means, and not till then. It is they who are the authors of civil resistance in this country, who after a hundred years of a weak and paralysed mind which had been imposed upon them both by a double process of armaments and by disarmaments, a double process indeed, by which they suppressed the mind of the Indian people—and thank God, and thanks to your callous attitude, the time arrived when all sense of justice, all appeals to a sense of right, all appeals to ideas of freedom, all disappeared into thin air. [It is unfortunate for us that many of those who could or might have easily rendered service to this land, are at present loyally serving a single cause, namely, the suppression of the Indian people. That is what they have achieved. I am not sorry for that achievement. I will congratulate them upon it. But I may tell them this, that freedom's battle once begun, as their poet has said, is handed down from sire to son. And you may take it from us, you may present these budgets year after year, sheltered by the Constitution which you possess, by the authority of might that you have, but we shall be here, we shall still fight the same moral fight in order only, not so much that we want anybody else's, but we want to be masters in our own home.]

The other day, when His Excellency the Viceroy addressed from this place, he invited, he extended a very cordial invitation to all of us to come and see the manœuvres, and, in doing so, he used a language which I shall never forget! "We want you to come and see how your money is being spent." Indeed he told the truth, and I am not misquoting. Indeed he said it in another sense, but I understood it in a different sense. I am here to point out in broad outline how my money is being spent, and to what extent not a single pie of it fructifies in a substantial way in order that the national development may go on. If, at the end of a hundred years, there is no response to a sense of justice, there is no response to an appeal for equity except the lip worship of partnership—I know many partnerships, I know of a partnership in which the man, though called a partner, has no voice in the management but only handles the goods and earns profit for his masters—that is the kind of partnership that we are offered, and we are asked to be content with it. That is the position in which we stand.

As regards the double policy that was envisaged, a policy in the name of law and order and a policy of enlarging the freedom of this country—as to what the latter was, we have already discussed while discussing the report of the Joint Parliamentary Committee. As regards the restoration of law and order, I am one of those who fully understand and appreciate what it means and what it involves. I am not here to go into details of the manner, the method and the measures that were adopted, all in the name of law and order, in order only that the spirit of India, which for the first time in its history, by means of a sheer non-retaliatory moral force, attempted at all events to express its earnestness and a desire for genuine freedom to manage its own affairs. Undoubtedly many a sacred word can be abused, when you have arrived at the stage of an Empire, when the despotic power grows so much, when it becomes entirely impervious to public opinion—it is then that public opinion is required to be suppressed. Public opinion in any other country is the

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greatest safeguard of its liberties, public opinion in this country was regarded as a crime, and I know very well the number of Ordinances and other laws which passed by a similar name. Undoubtedly it was a very great achievement from the point of view of those who govern. But I will leave it at that. That was the policy in so far as the spending of the money of the people was concerned. So far as our spirit went, so far as it gained momentum, that was the way in which they dealt in the name of law and order with the only genuine movement which for the first time in the history of the world attempted to raise its head in order that you may not lull yourself into a sense of security that the Indian people have the same acquiescing submissive attitude towards *Pax Britannica*. That was last year's history.

I come next to what happened in this House, when the Congress, some three years ago, said there was not much purpose to be found by remaining in the Legislatures. Our friends opposite and the Anglo-Indian Press said "What is this non-co-operating futility". I came here with the suffrage of the very people whom you have considered fit, however small they may be. Having come here, what is the meaning and the sense of co-operation that we have received? What is the sense of co-operation that we are going or likely to receive? Are we then here as mere witnesses to assertions on the other side—an impotent Opposition? Why give us the name of an Opposition? In a subject race, what other thing can an Opposition do? An Opposition can only put forward its views. It is not like the Opposition in any other country. If we were a genuine Opposition and if we were not dealing merely in forms and mockeries, these gentlemen ought to have walked out of their office, and even if they had the power to remain, if they had any sense of self-respect, they ought to have resigned. But, undoubtedly, they will remain. If we were a genuine Opposition, when we rejected a large number of their proposals from time to time, what would be the effect in any other country? Therefore, let us not make any mistake about the futility of the Opposition as shown by the manner in which they deal with you. They deal with you in the only manner in which it is possible for any subject race to be dealt with. They will not recognise that they are in the wrong and they will not give a second thought to what is presented from the other side of the House. What is the meaning of the co-operation that you want? Is the meaning of co-operation this—that we shall assent to all you say? Then, we need not be here, but if the meaning is that there is a constructive alternative, then, I can assure my friends on the other side that there are sufficient number of us here who are prepared to present a constructive alternative. I appeal to my friends on the other side either to accept it or let us try it. Let us not be told: "Oh, you are futile men unless you come and sing in our turn". That cannot very well be the position for which we stand. The country is merely held in bondage and you cannot possibly deny that its money is being spent for the purpose of that subjection and all that is left to the people of this country is to come here and enter their protest, and even that protest is not regarded very pleasantly by Members on the other side of the House. We passed a Resolution about the privileges of the House with reference to an esteemed friend of ours, Mr. Sarat Chandra Bose. How was it treated? It was turned down. We passed a Resolution with reference

to the Indo-British Trade Agreement. They could have certainly said: "We were under a misapprehension. Undoubtedly we have the power, but we must only exercise the power at all events with the assent, the consent and goodwill of the people", but what was the result? The result was that no consideration was given to it. We next passed a Resolution asking for a very small thing in itself. I know how it is exaggerated. I know how it can be exaggerated. We passed a Resolution that the ban should be removed on the Khudai Khidmatgar institutions in the North-West Frontier. What was the answer? Nothing. We passed such opinion as we in our wisdom or prudence thought fit to pass, so far as the Joint Parliamentary Committee Report is concerned. The debate was undoubtedly sent to England, but I should like to know whether we have moved a single individual or by a single inch the heart of the Government subordinate though it be, would they not have moved, if they had regarded their functions in a little more honest spirit—of regarding no other interest in the world as their own except the interest of the Indian people? Have we moved them to action, in response to all we have done? We have had the difficulties of our countrymen in other lands. What has happened? An officer was sent out with a view to investigating the conditions of the Ordinance passed in Zanzibar. The result, I dare say, is that a considerable amount of money and time have been spent in correspondence. Have the Government of India, as they might easily have done, stood out and actually threatened a retaliatory measure? We are told there is no question of retaliation, and all we can do is to request the Colonial Office, and, at the end of that request, you will say: "We regret very much. We did our best in your cause, but we are very sorry to say that the law of that particular colony must prevail". In other words, our fortunes are entirely at the disposal of the Government, in order that this may subserve their own plans. Let me, therefore, appeal to the Government of India, constituted even under this very Act itself, to concentrate themselves no longer in the futile task in which they have been engaged during the last 150 years, of raising money and spending it, all the time pretending that it is in the interest of the people. I dare say, the soldier can rattle his sword. He can also wag his tongue, but that is not a matter of any consequence. For many years now, there has not been any serious danger on the Frontier so far as one can appreciate and understand. Some of us have read history, though we do not know military strategy, and we are fully certain that the bulk of our money which might easily have been saved for nation-building purposes, for which it is time to begin, is still being spent under some cover or other in other ways and in particular in military training and equipment for Imperial purposes. It is a case in which you take all the money that you can and spend it for every purpose other than the one on which you ought to spend it, the purpose for which you exist or ought to exist. It is for these reasons that I ask the House to accept the cut that I have moved.

**Mr. President** (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Executive Council' be reduced to Rupee One."

**Mr. A. K. Fazlul Huq** (Bakargunj cum Faridpur: Muhammadan Rural): Sir, I am thankful for this opportunity which you have given me

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to express my views on a question of such vital and momentous importance both to the administration and the people of India. Notices of various motions have been given, and, whatever the form in which the question is put, there can be no doubt that these motions are intended to express dissatisfaction with the entire policy on which these annual budgets are framed and the manner in which the money of the taxpayers is being spent by those entrusted with the administration of the affairs of this country. The Honourable the Finance Member is not in his seat at the present moment, but I wish to convey to him through the proper channel that the budget which he has presented appears to me to have been conceived in a spirit of reckless extravagance and utter callousness to the economic crisis in the country and the interests of the masses of the Indian people. The Executive Council regarding whose salary this motion is being moved . . . .

**An Honourable Member:** No. It is the allowance.

**Mr. A. K. Fuzlul Huq:** It may be anything. Well, it is something in connection with some demand of the Executive Council, and that is part and parcel of the Administration, which is hopelessly extravagant.

Now, Sir, in olden days, oriental monarchs used to have a number of courtiers called *musahebs* whose duty it was to keep autocrats in good humour by studied sycophancy and flattery. (Laughter.) When the British people succeeded to the administration of India, their imagination was fired by seeing all around them the relics of oriental pomp and splendour, and they thought they might also imitate the previous rulers of India. They wrote to the Board of Directors at home. The Board of Directors sanctioned the scheme, but they did not understand the term "*musaheb*", so they sanctioned the creation of Executive Councillors. Now, so far as the present system is concerned, I have always been of the opinion that, with the introduction of reforms in the provinces, many of the Executive Councillors have become absolutely redundant and unnecessary. Take the case of the Executive Councillor in charge of Education, Health and Lands. All these subjects are transferred subjects, and it passes one's comprehension to conceive what possible work can an Executive Councillor have in the Government of India dealing with these subjects. Then, Sir, take the Executive Councillor known as the Law Member. I do not wish to say anything in disparagement of the eminent lawyer who fills that office at the present moment, because I know personally what great sacrifice he has made in accepting that office, but nonetheless I cannot help remarking that that office also is redundant and unnecessary. Sir, we are all here as legislators. Some are born legislators, some are legislators by imitation or example, some have legislation thrust upon them, and, as for Government, they have got their legal advisers all over the country to advise them in matters of law. Considered, therefore, from any point of view, this Executive Councillor is redundant and wholly unnecessary. (Hear, hear.) Similarly with the other Executive Councillors, and I need not go into details. One Executive Councillor whom I might tolerate is the Honourable the Home Member, because he always reminds us of our own home, and, besides, with the increase of work in answering interpellations in this Assembly and with the repressive laws that are being rigidly enforced, there is some necessity for

a Member of the Government to give replies in cryptic language in order to keep people off their guard. But, in any case, the number of Executive Councillors—and I do not know the exact number,—six or seven, is wholly uncalled for, and I wonder if there are not in the Executive Council Members of Government who have not got to dispose of a file once even in the course of a week. I am not sure, but possibly that is the position.

(At this stage, the Honourable Sir Frank Noyce rose.)

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

**Mr. A. K. Fuzlul Huq**: Then, leaving aside the number, Sir, the pay of an Executive Councillor is most extravagant. They are getting Rs. 80,000 a year, and I wonder what they do with this money. (Laughter.) After all, they are human beings, they wear human clothes, and I do not think they eat chops and cutlets of diamonds and rubies. Therefore, Rs. 80,000 as pay for each, raised by taxing the poor and destitute peoples of India, is most extravagant, and the giving of such pay is most cruel and unjustified in relation to the poor people of India.

**Lieut.-Colonel Sir Henry Gidney** (Nominated Non-Official): What did you do with your money when you were a Minister in Bengal?

**Mr. A. K. Fuzlul Huq**: I could not hear Sir Henry Gidney, or I would have given it to him.

**Lieut.-Colonel Sir Henry Gidney**: What did you do with your money when you were a Minister in Bengal?

**Mr. A. K. Fuzlul Huq**: I would have given it to Sir Henry Gidney if I knew his address. (Laughter.) Sir, I have drawn the attention of this House to the extravagance both as regards the number of Executive Councillors and the high salaries that they enjoy. Now, this question of high salaries really colours the whole administration and it really colours the whole budget. I am moving my motions Nos. 311 and 312 mostly from the point of view of extravagance in the pay and allowances of the Executive Councillors and their number.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has only one motion to speak to—that is the one before the House according to the arrangement between the Leaders of the Parties.

**Mr. A. K. Fuzlul Huq**: As I submitted in the beginning, whatever may be the full scope of this censure motion, it raises the same question as I wish to raise, namely, the policy of the Government, and whatever the effect of this censure motion on the policy of Government.

**Mr. President** (The Honourable Sir Abdur Rahim): So long as the Honourable Member does not claim to move any other motion.

**Mr. A. K. Fuzlul Huq**: No, Sir, I shall confine myself to one of these cuts, though they all raise the same question—the policy of the Government, and, as I have submitted, the extravagance in the number of

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Councillors and the policy they are pursuing with reference to the expenditure of the money they raise in this country. I do not think I need say much on a question like this on which we on all sides of the House are practically unanimous. There can be no doubt that these budgets are becoming from day to day more and more extravagant. Only yesterday I had occasion to look up the budget of the year 1913, and I found the expenditure in that year was something like 82 crores. Now, the expenditure has gone up to over Rs. 200 crores (An Honourable Member from the European Group: "Not 200!"), and I would like to see the man who can convince me that the administration has improved proportionately by even one jot. The reason is that these budgets are framed and these items of expenditure are embarked upon in a manner utterly subversive of all the principles of true economics. Sir, the most elementary principle in economics is to take a note of your income first, and to modulate your expenditure accordingly. To use a homely proverb, cut your coat according to your cloth. The Government, however, first decide upon their coat, its dimensions, colour and other particulars, and then set about to find the cloth. That, I submit, is not the proper thing to do. They decide upon the expenditure first and use their own tremendous powers to squeeze out unnecessary money out of the empty pockets of the destitute millions of India. That is a policy which we all condemn, namely, fixing upon the expenditure first and then trying to find out the income afterwards. That is the reason why all this anomaly happens. In spite of all this big revenue at our disposal, the money is not being utilised or spent for the purpose really of the benefit of the people of this country. As has been pointed out by the Leader of the Opposition, the major portion of it goes to fill the pockets of the officials and their high salaries and allowances (Hear, hear), and the manner in which those in power, who have got the power to frame the budget, are unmindful of all other interests but their own is exemplified by the manner in which they have restored the salary cuts without consulting either this House or the interests of the real people concerned. The restoration of the cut was, of course, fully justified in the case of men on small salaries, because in their case the cut should never have been imposed, but there is absolutely no justification for the restoration of the salary cut in other cases. If there was money, that might have been utilised for such purposes as would have helped the poorer people of this country, but that was not done; it was done for their own purposes, and, therefore, I submit, that is also subversive of all sound principles of economy. Looked at from whatever point of view, Government do come in for censure at the hands of this House for the manner in which the money is raised, the manner in which that money is spent, and we have selected the Executive Councillors, because, according to the Constitution, that is the proper method by which we can raise a question which really affects the Administration as well as the people of this country. With these few words, Sir, I beg to move the motion that stands in my name.

**Mr. President** (The Honourable Sir Abdur Rahim): That cannot be allowed, as the Chair has already informed the House.

**Mr. A. K. Fazlul Haq**: Then I support the motion before the House.  
(Applause.)

**Sardar Mangal Singh** (East Punjab: Sikh): Sir, I whole-heartedly support the motion moved by the Leader of the House. (Voices: "No, no.") I think if by the House is meant the majority of the House, then I maintain that he is the Leader of the House. Sir, in winding up the speech, the Honourable the Finance Member said that the imaginative financiers generally end up in jail. I congratulate him and the Executive Council that they have carefully and skilfully avoided ending up in jail by the end of this year, because when they were drawing up the annual budget, they took leave of their imagination altogether. In this House, it seems that the Government and the Opposition Leaders have come to a sort of understanding, and to me the understanding appears to be this, that this side of the House has agreed to pay and pay and the other side of the House has agreed to spend and spend all the year round as they like. Another clause of this agreement seems to be that this side of the House has agreed to say whatever they like, and the other side of the House has agreed to do whatever they like. In this way, the game goes on. When the Honourable the Home Member went to the Punjab in the beginning of this year, he spoke at a dinner party and extended his hearty welcome to the entry of the Congressmen into the Assembly. But after six weeks we find that whatever we say and whatever decisions we arrive at, they are all rejected by the Government without assigning any reasons. We requested the Government to release the Honourable Mr. Sarat Chandra Bose, so that he may be able to participate in the proceedings of this House. The Government have not even the courtesy to explain their position as to why it is not possible for them to concede to the wishes of the House. Then, we rejected the Indo-British Trade Agreement and the Honourable the Commerce Member has not even the courtesy to say whether they have rejected our Resolution in consultation with the Secretary of State or not. Then, Sir, we asked the Government to remove the ban from the Red Shirts. The Government have not even considered that Resolution. I ask, in all seriousness, what are we here for? Are we here to hear your taunts and to hear your stories or are we here to advise you and to criticise your actions, so that you may, some time at least, accede to our wishes also? Sir, I do not know how long this sort of practice will continue. This constant passing of Resolutions on the one side and this constant refusal on the other side will lead this Government to very difficult times. People outside are fully realising all this and if the Government do not mend their ways and listen to the advice that we from this side of the House give them, I am afraid, a day will soon come when there will be a revolution in this country and the other side of the House will all be swept away and the people will establish their own Government in this country. If the Government continue to do like that, there is no other course open to the people. Then, we also requested you, Sir, and, through you, the Home Government, not to proceed with the India Bill which they were going to do. But not a word has been heard in reply and not a single man on the Treasury Bench has given any response to our wishes, and they are merrily going on. The caravan is going on although the dogs may bark. If this is the way in which the Government propose to rule this country, then we, on this side of the House, are obliged to refuse supplies to you. We are forced to come to this conclusion. From the manner in which you are managing the affairs of this country and from the manner in which you are carrying on the administration of this country, you have completely forfeited the confidence of the country and we are perfectly justified in refusing the supplies to the Executive Council.

[Sardar Mangal Singh.]

You have imprisoned people without trial; you have passed laws without consulting the people; you are carrying on the Government in a despotic manner and, therefore, we, who represent the people, are perfectly justified in calling you to account. And if you do not listen to us, we must refuse you supplies and not give you a single pie to carry on the administration in the way in which you are doing now.

Now, Sir, speaking on behalf of my community, I have to mention some more reasons to show that you have treated the Sikhs in a very shabby manner. Take up any Government Department, and it will be seen that you have not given us our due share in the services of the country.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhamadan Rural): Take the Central Public Works Department of New Delhi.

**Sardar Mangal Singh:** I am coming to that. In the recruitment of Agricultural Research, and in the recruitment of Central Marketing Officers, you have not taken a single Sikh officer. You have recruited more than 30 officers this year, and you have not taken a single Sikh officer although highly qualified young Sikhs with foreign qualifications are available.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): They have not taken even a quarter of a Parsee yet.

**Sardar Mangal Singh:** In the Home Department Resolution you have fixed certain proportions of the minority communities. I have  
1 P.M. studied the figures, and I do feel that my Muslim friends are justified in asking some share in the services, because, at present, they do not have that share which they ought to have. Then, Sir, coming to the other minorities which are represented by my Honourable friend, Sir Cowasji Jehangir and Dr. DeSouza and myself, you have hardly given us six per cent. I wish to submit that my community is backward in education and it is not as efficient and as rich as the communities which are represented by my Honourable friends over there. (*Voices:* "Question.") Sir, I do not grudge that they should also get their proportionate share, nor do I grudge that the Mussalmans should also get their proportionate share. What I submit is this, that my community should also get its proportionate share. During the last 15 years, you have not given us that proportionate share, because circumstances so happened that we were pitched against you on every ground. We are being told that since you are co-operating with the Congress, you are co-operating with the people of the country, therefore, you cannot expect any favourable treatment. Sir, we realise this difficulty. Some people always blame us for that. They say you are giving away the Sikh cause by co-operating with the Congress. But we cannot sell away the liberty of the country for a mess of pottage. We will stand by our countrymen. The Government may deprive us of our legitimate rights, and, for that reason, I am not going to play treacherous to my country. (*Hear, hear.*) Well, Sir, take the figures of any Department, and you will find that in every one of the Departments, the Sikh representation is very inadequate. In the matter of the new Constitution, the Government have treated the Sikhs most

shabbily. Take the case of the Central Legislature as well as the Provincial Legislatures. Our representation has been reduced in the Provincial Councils and it has also been reduced in the Council of State and in the Federal Assembly. In fact, our representation has been reduced everywhere. We were not a party to the Lucknow Pact, and we were not given our proper share. We bitterly complained at that time and we were told that next time our case would be considered. But when that next time came, our representation was decreased still further. In the Punjab, we increased in the last census from 11 per cent. to 13 per cent., but our representation did not increase proportionately. In the Central Legislature, our representation has been decreased. In the future Council of State also, our representation has decreased. I, therefore, standing here and speaking in the name of my community, do strongly protest that the Sikhs have not been properly treated in this matter. Replying to a question the other day, the Honourable the Home Member said that he recognised that there were differential rules in the different provinces about the possession and carrying of a *kirpan* by the Sikhs. There are different rules in the Bombay Presidency, there are different rules in the Central Provinces, there are different rules in Burma, there are different rules in Delhi here, and different rules in the Punjab and in the North-West Frontier Province. Here, in this Chamber, I can carry a *kirpan* three feet long. I can carry a *kirpan* of the same length in Multan, but if I cross the boundary and enter into Sind, I am at once hauled up before a Magistrate and punished. I ask in all seriousness from the Government of India, why is this anomaly allowed to exist? I very often go to Sind on business. If I carry a *kirpan* three feet long, I will be punished. I always carry a *kirpan* of this size. (The Honourable Member showed his *kirpan*.)

**Captain Sardar Sher Muhammad Khan:** You cannot wear it here.

**Sardar Mangal Singh:** I have been wearing it from the very beginning and I shall wear it in future. If I walk into Sind with the *kirpan* that I am at present wearing, I will be arrested and punished. I ask the Government of India seriously to consider whether I am considered to have changed my religion as soon as I enter a different province. Why should not the Government of India advise and instruct all Local Governments to make their rules in conformity with the rules which they have made in the Punjab and the North-West Frontier Province?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

**Sardar Mangal Singh:** I have finished, Sir. The bulk of the Sikh population live in the Punjab and the North-West Frontier Province. When there is no danger in these provinces where the majority of the Sikhs live, I ask, what is the danger in the Central Provinces or in the Bombay Presidency where only a few hundred Sikhs live if they carry *kirpans*? I say it is only to taunt us and to make us realise that because we are co-operating with the Congress, we are not heard by the Government. I say you will hear us, we will continue to co-operate with the Congress and you shall hear us, otherwise you shall have to vacate your places from those Benches.

[Sardar Mangal Singh.]

Another point that I wish to touch upon is this. It was more than seven years back that the Maharaja of Nabha was deported, and, up to this time, we have not been told how long he will be kept in exile. What are the reasons for his deportation? Are Government prepared to take us into their confidence?

**Dr. Ziauddin Ahmad:** I rise to a point of order. Is the Honourable Member in order in discussing questions relating to an Indian State?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair does not think the Honourable Member is in order in discussing questions relating to the Indian Princes.

**Sardar Mangal Singh:** I bow to your ruling Sir. I want to refer to certain things relating to the Army, but I find the Army Secretary is not here.

**Mr. Mohan Lal Saksena** (Lucknow Division: Non-Muhammadian Rural): The Maharaja of Nabha is not at present a ruling prince . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. The Chair has given its ruling and it cannot be questioned.

**Sardar Mangal Singh:** I was going to submit, Sir, that the military pensioners were deprived of their pensions during the Akali movement and that their cases may be considered now and their pensions restored. With these few words, I support the motion moved by the Honourable the Leader of the Opposition, and I hope that all the Members will support him and thus reject the supplies for the Executive Council until they mend their ways or they are ended. (Applause.)

**Mr. Muhammad Anwar-ul-Azim** (Chittagong Division: Muhammadian Rural): Sir, I am indeed very much grateful to you for giving me this opportunity of taking part in this debate. I have got a difficulty in me that I cannot raise my voice sufficiently loud to be heard in all parts of the House, but, nonetheless, I shall endeavour, during the short time at my disposal, to make the fullest and proper use of it. I have listened with very great amount of interest to what the Leader of the Congress Party had to say in support of his motion. Personally speaking, there is none here in this House, least of all an elected Member who has any feeling but that of kindness and respect for the noble man, the Leader of the Congress Party, for his sobriety of judgment and his far vision of things. But if I have followed him closely and if I am allowed to have my say, with regard to the reasons which actuates him at this critical juncture in the history of our country to move this motion by way of refusal of supplies to the Executive Council, I must most humbly say that I differ from him. My reasons are these.

Here, since 1921, every one must have noticed the way in which things were shaping themselves. As a matter of fact, it is a matter of history as to the way in which the Congress movement has taken its shape. I have got a very large number of friends amongst the members of the Congress, and my relations with them have never been anything but that of one of

cordiality, even though I differ from them on important political matters. If, on this occasion, I do not support them and if I am not in a position to vote with them, the reasons are that I am rather sceptical about many matters which are happening in this country. I am a very conservative sort of man in these political matters. As a matter of fact, I am always chary as to how I put my feet while making a pace. I have always been of the opinion that it will not be right and proper to get along in an inordinate hurry with any particular object even in constitutional matters, and, if, as in the present instance, the Government of India, composed as they are at present—I must say here, Mr. President, that I do not hold any brief for them—if the Government of India acting as the Agents of the Government of England sitting six thousand miles away have not tried to the best of their judgment to follow the dictates of a Sovereign Government, as the Congress think, I being a member of a non-sovereign lawmaking-body, feel that it will not be right, at least for me, Mr. President, to pass any such censure for their laches; for all of their works must have been done with the only object of doing good to this country. This is my idea. One might perhaps say that if there was a re-orientation of the policy of the Government of India to-day, better things might have come out. But I may perhaps very pertinently ask the Honourable the Mover of this motion whether they are not giving a premium to constitutional agitation, and, as a result of that, we have got at least a crore of rupees to improve the condition of the village people. So, Mr. President, as I said before, if the Congress Party is trying to follow that policy now and if the constitutional policy looms brighter in their methods now, even the present Government of India, as it is composed, will not be lethargic in putting in some more hopeful signs which may please the Congress. Certain Honourable Members who have preceded me have mentioned many matters which are certainly relevant, but I should not like to fish in troubled waters except to mention in passing that, as I owe a debt of gratitude to my constituency, I would be failing in my duty if I did not take advantage of this occasion and say something on their behalf. And I submit that Government would do well to look round and come to a definite solution on matters which are responsible for so many cuts and questions in the House. Unless it is possible for Government to come out with a bolder policy, I think the goal even of the Congress Party is not likely to be achieved. And my one word to the Congress Party would be that, if they want to bring about a balance in the administration, they as a majority party should come to the rescue of the Government of India and help them in the solution of these matters.

There are one or two other matters which are of crucial importance so far as I am concerned. With regard to the civil aviation policy, I may say that it requires re-orientation. I have put down some cuts in regard to that matter . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member must remember that this is not a motion in which any particular grievance can be ventilated. It is for refusal of supplies to the Executive Council.

**Mr. Muhammad Anwar-ul-Aziz**: Thank you, Sir. My submission is that certain matters which should have been looked into by Government have not been so looked into so far.

[Mr. Muhammad Anwar-ul-Azim.]

Sir, I think there is a great force in what Sardar Mangal Singh said in regard to the position of his people, and, he has my good wishes, and like him, I want to say something about the position of my people and the constituency I represent here. Our complaint is that we are not properly represented in the Government of India Secretariat. This was, as you will remember, debated last year also in the Simla Session, and the Honourable the Home Member came out with some excuses. But if we represent about 42 per cent. of the Muslim population of this country, it would not be improper on our part to ask them to be just and kind to us at least in the matter of balancing the administration. I am not afraid of pleading the cause of my people although there may be leaders on the front Benches who are afraid of bringing that matter to the notice of Government. My last appeal to Government is that when a class of people helps them to bring in order and progress, it is just and fair for them to expect that their just demands will receive more favourable consideration at their hands.

Sir, I do not know whether, as an unattached Member, I shall have a chance of speaking about the position of the small province on the frontier, namely, Baluchistan. I have a cut motion with regard to that, but my position is that if the Government in England are so generous as to bring about a millenium by the introduction of the Federation, even including the Indian States, they should not grudge this privilege to the small frontier province of Baluchistan. They have fought for them and given their lives for them in season and out of season; and if the Government in England are generous enough to give a first-class Constitution to Burma, I submit that it will not be graceful to be tardy and niggardly in refusing the reforms to the people of Baluchistan. I happen to have some Baluchi friends, and my impression is that they are all first-class loyal people, and if you give them a chance, I can assure the Government of India that they will give a very good account of themselves. If Government on the contrary keep them under Ordinances and are always suspicious about them, I can assure you, it will have a very bad repercussion and the history of Ulster may be repeated there. With these words, Sir, I feel very sorry that I am not in a position to support the motion of the Honourable the Leader of the Opposition.

The Assembly then adjourned for Lunch till Twenty Minutes Past Two of the Clock.

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The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

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**Mr. Muhammad Ashar Ali** (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, I am sure the cut motion which has been so ably moved by the Leader of the Opposition and the way in which he has moved it and the way in which he has expressed himself will carry weight with this House in carrying it, inasmuch as it is not directed towards any individual of the Government of India, but is meant to oppose the policy of the Government of India so far as the budget proposals every year in this House are concerned. We know it all for a fact that these budgets should be produced in order to ameliorate the condition of the masses of our country. We all know that the fountain head of all revenues is the

masses. We all know also that the way in which the expenditure is being incurred by the Government of India is not at all satisfactory and it has never been satisfactory so far as the masses and the public of India are concerned. These cut motions, it may be said, are not only to criticise the Government but these are also a sort of censure on the present policy of the Government of India. I say it on the floor of this House that these cut motions are really meant to censure the Government of India for their niggardly policy towards the masses, and I shall presently show in what way it is niggardly and how it is considered by the masses of India to be a sort of tyrannical policy.

This policy of the budgetary position of the Government of India, we feel, is not only extravagant, but, to a certain extent, it amounts to criminality. We find that there is always an increase in taxation: there is always increase in the indebtedness; there is always an increase in the army; there is always an increase in the forward policy of the Government of India; there is always an increase in the salaries and allowances of the officials: it may be that the salaries of the Executive Council Members is not always increased, but that is because it has already reached a point from which it is difficult to increase, and, I am sure, if it could be increased, it would have been increased. At the same time, our friend, Sir Leslie Hudson, the other day, in this House, said that the Honourable the Finance Member could be likened to Mr. Snowden. I wish our friend were a Snowden in this country. We all know what services Mr. Snowden has rendered to his nation. I wish the Honourable the Finance Member could prove while he is in India that he could be a Snowden; but our own belief is that he can never be. The policy of the Government of India is that of Whitehall and the policies enunciated in this country cannot make even a fresher from England or even one of that blessed service, the Indian Civil Service, sympathetic to the conditions prevailing in this country. I have been hearing encomiums after encomiums, praises after praises and thankfulness to the Honourable the Finance Member for a small item—a drop in the ocean—which he has very kindly set aside for the whole country this year. That is the item of a crore of rupees, and, I know and believe that it has been done with the agreement and consent of the Executive Council of the Government of India. I find that if we divide this one crore among the 700,000 villages of India, it comes only to about Rs. 14 per village or something like that. Do the Government of India really realise what this Rs. 14 is going to give to each village? Do the Government imagine really that it will bring any sort of amelioration in the conditions prevailing among the tenantry or the landlords residing in these 700,000 villages of India? Again, if you divide it on another basis of acreage—I am not a mathematician like my friend, Dr. Ziauddin Ahmad—but if you take it according to gross acreage of land under cultivation at present—which, I think, is about 260 millions of acres—it comes to about 2½ *pias* per acre. If I am wrong in my figures, my friends may correct me: and this, I say, is a driblet, a drop in the ocean and is certainly not in consonance with the large amount of revenue which the Government receive from the poor villagers of this country. When I realised this in my own heart, I found that it was really a disgrace for us here today to sanction this one crore for the whole of this country, with millions and millions of people. When you derive large incomes from the villagers, you ought to give something at least to them to eat and to clothe their children. I attribute the whole of the situation to the ignorance of the Government of India of the real conditions of the people of this country.

[Mr. Muhammad Azhar Ali.]

Sir, if they had sense enough in them, and if they had only realised what they were doing for the people of India, they would have learnt that the public opinion says that what they have allotted for the village uplift movement is merely to retard the progress which the country is likely to make under the guidance and leadership of Mahatma Gandhi. The figures which I have quoted to show that there is to be no proper organisation except *Tehsils* which is going to undertake this village uplift movement; but it is proposed to put a sort of brake in the way of those who really want to ameliorate the condition of this country. Sir, I remember the days when *takavi* was distributed by the Government and the way in which it was realised from those who took through the Co-operative Department, and I also remember the extent of suffering that the people generally had to face under that *takavi* system. I feel, therefore, Sir, that the amount allotted by the Government for the so-called benefit of the people will not help them in the least; on the other hand, this sort of tardy attempt on the part of the Government to help the poor villagers is bound to give them the greatest possible trouble. At present these poor people are sitting quietly at home, no doubt they borrow money from the money-lender, but they are not worried by anybody except perhaps the bankers, but the moment this money is distributed, the moment this money filters through to the villages, I assure the Government that it will lead to great trouble and worry to the poor villagers. Of course, some of this money will go into the pockets of the village *patwaris* and *kanungoes* and some other small and high officials, but if this money is to be realised, I am sure, it will lead to the same trouble which occurred when attempts were made to realise the *takavi* loans.

Sir, I do not want to discuss the Ottawa Agreement, but I say that it was drawn up with the consent of the Executive Council and if only the Executive Councillors had realised what would be the result of such an agreement and if they had only advised the Government at Home of the disastrous effects of the Ottawa policy, things would have been otherwise. What has happened since the Ottawa Agreement was passed? Our exports have decreased and our treasuries have become depleted. Every one knows how gold is going out of India, every one knows how silver will suffer now by the so-called relief of taxation and every one knows how the agricultural prices have fallen; how our industrialists are suffering. Go to any shop at Connaught Place or Chandni Chowk, and ask any trader how he gets on, and you will find that everybody will say that there are absolutely no profits. Now, what do you find in the Government of India Bill which was drafted with the aid of the Executive Councillors? You find there is absolutely no trust in Indians, while we are expected to trust and obey the iron rule which is at present going on in the country. In these circumstances, how can you expect Members on this side to vote for such items as are mentioned in the budget. Now, why is it that even the Indian Members of the Executive Council are not representing the true conditions prevailing in India to our rulers in England? It is because they do not care, they get very high salaries, they live in palatial houses, they get every kind of comfort, with the result that they are out of touch with the masses, and they cannot realise what the sufferings of the poor people are, they are absolutely callous to the real conditions prevailing in this country. I have not much to complain of those British friends who have come all the way to rule over us, but my grievance is against our own Indian friends, our Indian

Ministers,—I don't mean the present Ministers only, but I mean the former Ministers and those who will succeed the present ones,—they may not be called Ministers, but they may be called by some other name,—but all the same they will form part of the Government machinery.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

**Mr. Muhammad Azhar Ali:** Sir, I have not much to say now. All I say is that the tactics hitherto employed by the Government will no longer appeal to the masses, and I am sure that we, the representatives of the masses, who are true to their salt, who are true to their constituencies, are bound to oppose these budgetary items.

**Mr. Akhil Chandra Datta** (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I rise to support the motion moved by the Honourable the Leader of the Opposition. Sir, our grievances against the Executive Council are many. Some of them have been related by my friend, Mr. Fuzlul Haq, Sardar Mangal Singh and others, and it is really impossible to deal with all these grievances at length within the limited time at our disposal, but, Sir, I have noted a few of our principal grievances,—for instance, the policy of taxation, the continuance of the emergency taxes, of emergency surcharges, the policy of repression in general and the treatment of detenus and political prisoners in particular, the policy of non-Indianisation of the superior services, the want of a constructive economic plan to raise the level of commodity prices and their inertia to fight the agricultural distress and economic depression, their policy with respect to the export of gold, their attitude towards the unemployment problem in the country, their policy of trade agreements with foreign countries in defiance of public opinion, their attitude towards the Legislature and their indifference to it, in fact their supreme contempt for public opinion on all matters. These are some of the grievances, but there is one other grievance which I want to emphasise today in this House, I am referring to the attitude of the Executive Council in regard to the communal decision of His Majesty's Government so far as the Punjab and Bengal in particular are concerned.

Now, Sir, the foundation of the whole structure of this new Constitution is communal electorates. That is a system of electorate and representation which has been condemned by the Montagu-Chelmsford Report, condemned by the Simon Commission, condemned by the Joint Parliamentary Committee Report, condemned by all Nationalists, Muslims included, condemned by the Congress, condemned by the Liberals, condemned by the Hindus and the Sikhs, and, last, condemned even by the Bengal Legislative Council. What, after all, do the Bengal Hindus want? They do not want any weightage, either because they are an influential community or they are a minority community. All they want is joint electorate without reservation of seats, and that on the population basis. I do not think that any dispassionate and unbiassed critic can find fault with that programme. What, however, are the provisions made in the Communal Award with regard to that province?

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair understands that the motion is for the refusal of supplies. If the Honourable

[Mr. President.]

Member supports that, there is no question of ventilating a particular grievance, as the Chair has already pointed out. Of course, the Honourable Member is entitled to support or oppose the motion; that is another matter. But this is not the motion under which a particular grievance can be ventilated,—the Chair thinks there will be other occasions if the Honourable Member wants to, but not under this particular motion. This motion is for the refusal of supplies altogether.

**Mr. Akhil Chandra Datta:** I bow down to your ruling. Only with your permission, let me give my reasons. I say I support this motion for refusal of supplies. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): On one of these grounds?

**Mr. Akhil Chandra Datta:** Yes, because I have got grievances, I have got many grievances, and this is one.

**Mr. President** (The Honourable Sir Abdur Rahim): Then the Honourable Member can go on.

**Mr. Akhil Chandra Datta:** The provision for my province of Bengal is communal electorate for the majority community; reservation of seats for the majority community; weightage for some minority communities, Europeans for instance; weightage for the majority community, but no weightage for the Hindu community; Hindu representation not even on population basis. The result is a fixed Statutory majority, and that too, on communal electorate, unalterable by an appeal to the electorate. I may inform Honourable Members of this House that all the enlightened Muslims, all the nationalist Muslims, the All-India National Muslim Conference, the Bengal National Muslim Conference, the United Provinces National Muslim Conference and the Punjab National Muslim Conference—they have all declared themselves in most unmistakable terms for the joint electorate and have condemned separate electorates. Now, Sir, under the existing Constitution—I know that this is rather an unpleasant matter. I know it, I feel it, but my only justification is, as Honourable Members are aware, that I have come on the ticket of the Nationalist Party.

**Pandit Govind Ballabh Pant.** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): But all this is not relevant here.

**Mr. Akhil Chandra Datta:** No. There is no question of relevancy. I feel that I shall be failing in my duty if I do not present the case of Bengal on this point. Now, instead of giving my own opinion and my own submission on this matter, I shall take the liberty of referring to the opinion of as many as nine Members of the Joint Parliamentary Committee.

**Sir Cowasji Jehangir:** I rise to a point of order. We have already received a ruling that on a cut motion the future Constitution cannot be discussed. My Honourable friend is evidently going into the future when he talks of the Communal Award, which is a question of the future and not of the present.

**Mr. Akhil Chandra Datta:** My grievance is against the present Executive Council as regards their attitude with respect to this matter. The other day, they cast their vote in favour of that Communal Award, and, therefore, I have a grievance against the Executive Council.

**Mr. President** (The Honourable Sir Abdur Rahim): As regards the point of order raised by the Honourable Member, Sir Cowasji Jehangir, the Chair thinks that what Mr. Akhil Chandra Datta is endeavouring to do is to give reasons in support of his attitude that the supplies should be refused for the Executive Council. Among other grounds, he says that the Executive Council has failed to discharge its duty with respect to the Communal Award, that is to say, it has perhaps failed to recommend to the Secretary of State, and, by its vote, has given its support to the Communal Award. From that point of view, the Chair is not prepared to say that this question is irrelevant.

**Mr. Akhil Chandra Datta:** Now, I was placing before the House the considered judgment of as many as nine Members of the Joint Parliamentary Committee. They say:

"It is one thing to concede separate communal electorates for the purpose of giving minorities reasonable representation in the various Legislatures; it is an entirely different thing to employ the system for the purpose of conferring upon a majority community in any particular province a permanent majority in the Legislature unalterable by any appeal to the electorate. Such a course has never hitherto been adopted. It was considered and rejected by the Statutory Commission who declared that a claim submitted to them which in Bengal and the Punjab would give to the Moslem community a fixed and unalterable majority in the general constituency seats, was one which they could not entertain; 'it would be unfair', they wrote, 'that Muhammadans should retain the very considerable weightage they now enjoy in the six provinces and that there should at the same time be imposed, in face of Hindu and Sikh opposition, a definite Moslem majority in the Punjab and in Bengal unalterable by any appeal to the electorate'. This is the position which will arise if the distribution of seats proposed in the White Paper for the Legislative Assembly of Bengal, is given effect to."

It will be interesting to know who these nine Members are. Among them, there is the Marquess of Salisbury, Lord Zetland, an Ex-Governor of Bengal. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

**Mr. Akhil Chandra Datta:** My Honourable friends are relieved. Just one or two words in this one minute. One ground given in the Joint Parliament Committee's Report is that the people have given their acquiescence. In this connection I would simply point out the result of the last election in Bengal. All the Hindu seats have been captured by the Nationalist Party, not one excepted. It will not be improper to refer to the verdict of the Bengal Legislative Council. Then, there is the clear attitude of the Punjab, Sind and Berar on these questions. Just one more word, and I shall have finished. Who is responsible for this? The common fallacy is that it is purely a fight between the Hindus and the Muslims. I say "No". It is not, because the maximum demand of Mussalmans in Bengal was for representation on a population basis. That was the resolution of the All-India Muslim Conference held at Delhi in January, 1929, but, as a matter of fact, something more has been given to them. As many as

[Mr. Akhil Chandra Datta.]

ten seats have been given to them in the Provincial Legislature in excess of the population ratio. Is it out of love for the Muhammadans? I appeal to my Muhammadan friends to consider whether that is out of love for them that this excess representation has been given to them in the Award. I say, it is not out of love. It is out of a sinister motive, namely, to divide the communities and to keep them in a position of armed neutrality, so that a united nation may become impossible, so that there may never come a time for responsible government.

**An Honourable Member:** Who is responsible for this?

**Mr. Akhil Chandra Datta:** Sir, my time is up, and so I cannot deal with the matter fully. I hope I shall have occasion, hereafter, to discuss this matter with that fulness which its importance demands.

**Mr. F. E. James** (Madras: European): The speech of my Honourable friend, the Deputy President, illustrates the difficulty which is bound to exist in dealing with this particular motion. The motion relates not so much to specific matters as to a large number of general matters which have been raised in the course of this discussion, and my Honourable friend, the Deputy President, has added to the already long list of matters which are to be considered when voting for this particular motion, the very difficult question of the Communal Award. I do not propose to follow him in that strain. What I do propose to do is to deal with the speech of the Leader of the Opposition, the leader of the Socialist Party and to point to two particular phases of his speech, with which I shall attempt to deal in the very brief time at my disposal.

Now, Sir, the speech of Mr. Bhulabhai Desai can be divided into two parts. The first part was of a very general nature expressed in language which was perhaps much more venomous than the language which we are accustomed to hear from him—general statements dealing with the budget, condemning the whole system whereby the finances of the country are managed, failing to put forward any alternative proposal, in fact disclaiming either any intention of doing so or any responsibility for doing so and dealing with the position of the Government as though the Government were in fact a Government responsible to the Legislature. It was only in the second part of his speech, which occupied by far the least time, that he dealt with specific matters in regard to the action of the Executive Council relating to certain Resolutions or motions which have been carried by a majority in this House. Now, Sir, I remember having the honour of delivering a speech almost on the first day of this Session, when I said that we welcomed the presence of our Congress friends in this House and hoped that, as the Session progressed, we should come more and more to understand our respective points of view. I still hold that view and what I say now is in an endeavour to ascertain from the responsible spokesman exactly what is the role they are now playing in this House and what is the role they intend to play in this House. The members of the Congress Party cannot have been unaware of the constitutional position of this Assembly under the present Government of India Act when they stood for election. They cannot

have been unaware of the fact that the present Government of India is a subordinate Government, that the Governor General in Council is a body which is independent of and not responsible to the Legislature, that under the existing Constitution the role of an Opposition is confined to one of criticism and influence, and that, although its role is confined to two particular functions, its powers may yet be considerable. Honourable Members who have been in the House longer than I have, when they go through the history of the proceedings of this House, will recognise the fact that where the Opposition has done its work, in accordance with the functions which are allotted to it under the present Constitution, in a spirit of critical but constructive co-operation, in those periods, the Government has been most responsive; whereas, in those other periods where a different line has been taken, where the policy of those who are in Opposition has been mostly one of obstruction, the executive has been in fact less responsive to the Legislature. That is not only illustrated by the history of this present Legislature, but is also illustrated by the history of the Legislature in some of the provinces and particularly in Bengal where these two processes, during the past ten years, have been in operation. It may be said that the difficulty under the present Constitution is that the majority of the House is without power. I do not entirely agree with that. The majority in this House has considerable power which it exercises in various ways—through questions, Resolutions, through its power over finance, through its work upon Standing Committees, through its indirect contact with the different heads of departments of Government.

**An Honourable Member:** And the result?

**Mr. F. E. James:** My Honourable friends expect results to take place within the short space of six weeks. My whole point is this that if they are prepared to work the Constitution which they have voluntarily come into . . . .

**An Honourable Member:** No.

**Mr. F. E. James:** . . . . in the spirit of that Constitution, then they will find the result will be an increasing responsiveness on the part of the executive. If, on the other hand, they are not prepared to work this Constitution and this Legislature in the spirit of the Act and in the spirit of its powers, then I would like some Honourable Member holding a responsible position in that Party to tell me why did they come in at all. It is information upon that point that I want to get from the Honourable Members on the other side. I am not using this argument as a purely debating argument.

**An Honourable Member:** You are!

**Mr. F. E. James:** I am using this argument in a spirit of genuine inquiry, because we want to know and we have a right to know  
 3 P.M. what is going to be the attitude of this Party towards the Constitution which they have voluntarily come under as a result of the last elections.

[Mr. F. E. James.]

Then, Sir, there is one more point. I am assuming for a moment that my Honourable friends stood for election and came into this Legislature voluntarily, knowing full well its limitations, knowing full well its opportunities and its powers, knowing full well that the Executive Council is not responsible to this Legislature, but only responsible to the Secretary of State for its actions and being unable, under the present Constitution, however we might wish it, to divest itself of that responsibility, or to share that responsibility with the Legislature. I submit, therefore, that the argument which seemed to be implied in the Honourable Mr. Bhulabhai's speech, namely, that the Executive Council deserves censure for not acting as a responsible Government, responsible to this House and through this House to the country, is an unfair argument to use, in the circumstances. Now I could understand my Honourable friend's using the occasion to say that "this Constitution does not give us powers, we are, therefore, dissatisfied with it, we, therefore, refuse to work it until we get another Constitution which gives us powers". I can understand that point of view, and I would say that that is a logical point of view. But I cannot understand the point of view of those who come into the Constitution voluntarily, as I have said, and demand to censure the Government of the day for not being responsible to the Legislature, when they know perfectly well that, under the Constitution, they have not the power to be responsible even if they wished to. Therefore, Sir, I find that this vote is not only unreal in the sense that it covers a vast number of subjects, and, that, everyone who has a grievance may, therefore, vote for it in order to ventilate his own grievance, but owing to the lead given to the discussion by the Leader of the Opposition is unfair in regard to the position which we occupy under the present Constitution. I would repeat, Sir, my argument that if my Honourable friends of the Socialist Party did not want . . . . .

**Mr. M. Asaf Ali** (Delhi: General): Who are the Socialist Party?

**Mr. F. E. James:** Well, after my Honourable friend, the Leader of the Opposition's speech, I thought they were the Socialist Party, but perhaps some of his colleagues even now are regretting the tone of that speech. However, I will not attribute the word "socialist" to the Congress Party; I will call them the Congress Party. Now, my argument is this that, if the members of the Congress Party are determined not to work this Legislature for what it is worth, in the spirit of the Government of India Act, why did they stand for election and why did they undertake the responsibility of becoming its Members? (*A Voice:* "In order to expose the Government".) If, on the other hand, realising its limitations, accepting the spirit of the Constitution as it is, looking back upon the work of this Legislature—and I still believe India can be proud of its work in past years—I can say that, although I have only been a Member for a very short time and I am thinking of the period when this Legislature first came into operation—if they are prepared to work that Constitution, to work this Legislature (*A voice:* "Submissively"), in the spirit with which the previous Houses have worked it, then I am perfectly sure that, increasingly, the executive of the day will become more and more responsive to the Members of this Assembly. (*Ironical Opposition Cheers.*) Sir, I shall make only one other observation, and it is this that, when

the time comes for the vote to be taken upon this issue, if I understand the Honourable the Leader of the Opposition aright, the issue really is that the Executive Council is not acting as a body in the way in which it would act if it were responsible to this House—if that is the issue, then I claim that a vote in favour of this motion is utterly unfair to the Executive Council, which is bound in its position by the Government of India Act and which cannot share its responsibility with this House. (Loud Applause.)

**Mr. Sham Lal** (Ambala Division: Non-Muhammadan): (Applause.) Sir, I rise to support the cut motion moved by my learned Leader. I rise to support it, not because I want any special privileges for any community or for any province. I rise to support this motion, because the executive as now constituted is not responsible to this country. They are simply the usurpers. We have got no right to vote against their salaries, but my submission is that not a single pie for their allowances should be allowed to these Executive Councillors. Sir, my friend, the Honourable Mr. James, said that the Congress knew that these Executive Councillors were not responsible to the people, and, if so, why did they stand for election? He asked: "Is it fair on their part, having stood for election under the Government of India Act, to adopt this attitude? They knew that the Executive Councillors are not responsible".

Now, Sir, a nation and a people who have to rise and to fight against an enemy cannot be bound by the rules of fairness laid down by the opponent. Our programme is there. We shall struggle even under the present and the new Constitution; we are not going to accept it, and we would make it difficult for you. Those who believe in Imperial domination and exploitation create such circumstances and then say: "it is not fair on your part!" Sir, we are being exploited, we are being crushed, we are being repressed, and they are appealing in the name of fairness and justice and saying that we should grant salaries and allowances to the Executive Councillors! My submission is, Sir, that that coin has still to be minted which the Congress would grant to these Executive Councillors. (Hear, hear.) Let them take it by force, with the help of their army and police, but we would not be a party to our own humiliation. (Hear, hear.) We humiliate ourselves by granting allowances to those who are still keeping the two idols of the people in jail,—Khan Abdul Ghaffar Khan and Jawaharlal Nehru. (Loud and Prolonged Cheers.) You may gloat over it, you may please yourself that you have crushed this movement, but the heart of India, I say, is with these people. We really feel ashamed that we have to come to the Assembly and discuss these grants, and that we are not in our places somewhere else. Sir, what are those illustrious people thinking of it all? I, of course, cannot imagine this, that we should ignore all those things. Sir, you do not take into consideration the feelings of the people, and you appeal to the people in the name of fairness!

Sir, while taking part in this debate I am rather reminded of what once Frederick the Great said when he read a poster against himself: "My people and I have come to an agreement. I can do what I like and they can say what they like". That is what he said. Sir, this constitutionalism of our friends has produced a sense of security for the Government and the Government think that they can do whatever they can,

[Mr. Sham Lal.]

because there are constitutionalists, because there are supporters like my Honourable friend, Mr. James, to quote rulings of law that it is not fair on our part, and so on and so forth. Sir, where is the question of fairness for a struggling nation? Where is the question of fairness for a people who have been exploited for the last 150 years? Sir, we know no other fairness. The only fairness that we know is that this Government should and must exist for the people of this country, and every pie they should raise should be spent in the interests of this country. Sir, I remember the story of a Jat in my district—what he said to the district officer when the district officer warned the Jat against the dangers of joining the Civil Disobedience Movement. The district officer was telling that Jat: "Well, if this Civil Disobedience Movement succeeds, there will be no military and there will be no police. You will all be looted and there will be a war. What will you gain by the Civil Disobedience Movement?" The Jat gave him a very good reply. He said: "My property is being sold for the realisation of land revenue and I have not got a penny left in my house. Of what use is this army and the police to me? Let there be anarchy. Anarchy is for me now when I do not get sufficient to eat. I am starving and I consider this to be an anarchy and disordered Government for which you are enjoying sumptuous dinners in Delhi and keeping a cordon of police and army around you and will not let me in. I do not want this army and the police." Sir, the question that the masses put to this Government is this: What do the poor people, who form 90 per cent. of the population, require this military and this police for? If your budget provides for these 90 per cent people, then certainly it would be justified. But it does not do that. And I am now coming to that one crore of rupees which you are going to spend on the masses. I will give you an instance to show how this uplift money is going to be spent. But the question I wish to put to you is this. Is this a budget in the interests of the people? Is this a budget by the representatives of the people? If that is not the case, we cannot accept it.

Now, Sir, certain gentlemen have showered congratulations upon the Finance Member. They have talked of his sincerity. I do not want to say that he is insincere. I need not say with regard to any Government Member that he is insincere. What I submit is this. We know how human nature develops. A persistent course of exploitation leads the exploiter to believe that his exploitation is just. I have seen it in the case of a money-lender; I have seen it in the case of a zamindar; and I have seen it even in the case of a lawyer extorting high fees from his clients and he never feels that he is exploiting them. In that very sense, these Executive Councillors and these high salaried Government officers, leading a princely life and getting Rs. 6,000 a month and all these allowances, have begun to believe that their exploitation is quite just, and those who interfere with it and those who disturb it are an unruly people and civil resisters fit to be detained in jail. This is what they sincerely believe. I do not say that they have got any grudge against us; I do not say that they want to humiliate us; I do not say that, and I do not believe in it. But what I say is this, that a systematic course of exploitation for 150 years has led these people to believe that they have got a right from Heaven and they can exploit the poor people. They can disarm them; they can shoot them in their own interests; they can rob them in their own interests; and they can tax them in their own interests. That is

their mentality and in that respect they are sincere. But shame on Indians who are being exploited that they have also begun to believe in the justice of this exploitation. Sir, this course of exploitation not only demoralises the exploiters, but it also demoralises the exploited. It creates a state of mind in the exploited, and they begin to believe that the exploitation is just. We have seen it in the case of the depressed classes. When we want to treat them well, when we ask them to sit in the chair and when we give them certain things to eat, they say: No, no; it is all right; they do not accept them. But they call us benefactors. It is only a question of restoring something to them, but they think we are their benefactors and they deserve that exploitation. I, therefore, think, that this accounts for these congratulations being showered upon the Finance Member. The whole money is being taken away in one shape or the other and the poor people are starving and the representatives of the people are showering congratulations on the Finance Member and giving him credit for sincerity. For this state of affairs the ruling class is not responsible. For this we are responsible. We have developed that state of mentality. Even those persons who shower congratulations, I do not call them insincere. That state of mind has been created. But there is another class, in addition to the exploiters and the exploited, who know everything and who always sing the praises of the Government and who call England their home. Sir, I remember the case of a Brahmin who in a public meeting, in the days of war, sang the praises of the British Government and the British army. When he came out of the meeting, I told him by way of a joke: "Well, Panditji, if Germany comes and conquers India, what are you going to do?" He brought out another poem from his pocket and said: "I have got another poem here for their praise". So, Sir, there is that class which will always be ready to shower congratulations and praises on Finance Members. Though this class also consists of sincere people, I think the Government should be afraid of that class. I also remember how a wealthy man believed that his case was just. A money-lender brought his suit for Rs. 400 in a civil Court. The defendant was a soldier who had sent the money by money order. So, he called the postmaster as a witness and proved his payment and the suit of the money-lender was dismissed. I actually heard him crying in the verandah when the suit was dismissed. He was saying: "Look at this injustice. This Government keeps papers which are more than three years old. I counted upon the fact that the receipts must have been destroyed". My submission is that this course of exploitation spoils even sincere people. They begin to believe that others are there to be crushed; others are to pay and we are to get. Unless that mentality is removed, there can be no understanding; there can be no co-operation and there can be no working of the Constitution. The Government say that they must have British people: their standard of life is very high and their organisation and their administration is efficient. Though the income of my house may be Rs. 400 a month, this manager on Rs. 1,000 a month must be thrust upon me. What I say is this: He is a very good manager, a very good organiser; he has fought great battles; he fought perhaps for democracy and he is quite efficient. I admit all that. But what am I to do? How am I to pay him? My family cannot starve. I cannot have my goods sold for the payment of this manager. Therefore, what I want is that this capable and efficient manager should be removed and the charge of my house given to me. But he says: In the name of efficiency and in the name of security of services, I must have all this money.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more.

**Mr. Sham Lal:** Sir, the question is very simple. My position is that, so far as the Congress Party is concerned, it has never put forward any claim for co-operation. I can only co-operate with this Government when there is a change of heart, when the spirit of domination and the spirit of exploitation goes away. We are not against Englishmen, nor are we against Anglo-Indians. We want them as friends, but not as usurpers, not as exploiters drawing Rs. 6,000 a month. If they want to serve in a missionary spirit and if they are prepared to adjust themselves to Indian standard of living, they are quite welcome. If a Kashmir plant wants to grow in Delhi but would not adjust itself to the water of the Delhi wells, we cannot have that plant. Let it be taken to Kashmir where it can flourish well.

In conclusion, I can only say that I support this motion, because it is a motion for refusal of allowances to the executive officers who are not at all responsible to the people of India. (Applause.)

**Sir Ghulam Hussain Hidayatallah** (Sind Jagirdars and Zemindars: Landholders): Sir, I heard the eloquent speech of the Leader of the Opposition, who complained of heavy taxation, extravagant expenditure and that nothing is being done for the people; but in his peroration, he explained to us the object of his cut. The object of his cut, he told us, was that on more than one occasion the Treasury Benches have flouted the decisions of this House. I heard, after that, my Honourable friend, the ex-Minister, Mr. Fuzlul Huq, who said that two Honourable Members on the Treasury Benches were not necessary, and they were, one the Law Member and another the Member in charge of Education, Health and Lands. That is, my Honourable friend wants that one of the nation-building departments like Agriculture should be abolished in the Government of India, because all these are transferred subjects. Well, Sir, I cannot reconcile the argument of the Leader of the Opposition with the argument of the ex-Minister who says that these nation-building departments are the concern of the Local Governments. May I ask my Honourable friend, the ex-Minister—at present I see he is not here—had this Member not been in charge of this Department, who would have advised the Finance Member to provide a crore for rural uplift? Who will hereafter advise the Finance Member to give larger grants to these nation-building departments? At the same time, my Honourable friend complained about the fat salaries of the Executive Councillors. Well, Sir, it does not lie in his mouth and my mouth to speak like this after having enjoyed fat salaries ourselves. We all entered this House knowing the Constitution that the Treasury Benches are irresponsible and that they will continue to be irresponsible till this system is changed. I submit, the Treasury Benches are also the victims of the system. Suppose any one of them becomes over-sensitive owing to the gibes and the taunts of the Opposition, and suppose he resigns, may I ask them if there is a dearth of candidates to take up the vacant place? What will the new Member do? He will do the very same things which his predecessor was doing. He will follow the same policy which the other Member was following.

**Mr. D. K. Lahiri Chaudhury** (Bengal: Landholders): Do not judge every one by your own standard.

**Sir Ghulam Hussain Hidayatallah:** Probably the Honourable Member will apply for the vacant post. He stood for the office of Deputy Presidentship, and I know many of the Members on the other side will welcome the opportunity of getting a job. Now, Sir, the gravamen of the charge against the Treasury Benches is that they have flouted the decisions of this House on four occasions. Well, Sir, I would have voted with the Leader of the Opposition and with his followers had they themselves implemented all the decisions of this House. The Communal Award, I understand, though I was not present, was put to this House as a separate issue, and the vote of the House was taken and it was carried by a majority.

**An Honourable Member:** With the official votes.

**Sir Ghulam Hussain Hidayatallah:** Whatever it may be, it was carried by a majority. That is the principle of democracy, whatever be the majority. Have my friend, the Leader of the Opposition, and his followers implemented that Resolution of this House, that decision of this House? If they have not done that,—the Honourable the Leader of the Opposition is an eminent lawyer—if he seeks equity, he must come with clean hands here. Even if he were now to implement it, my vote is with him. But he will say, “those decisions of the House which I do not like are not binding on me”. But, then, I am sorry, I cannot go and vote with him.

**The Honourable Sir Joseph Bhera** (Member for Commerce and Railways): Sir, I had ventured to think that the existing constitutional position needed no elucidation. I had hoped that the consequences and the implications of its application to the day to day administration of the various Departments of the Government of India admitted of no doubt or difference of opinion. Evidently, I have been mistaken, and it is, therefore, necessary for me to set out quite briefly but specifically what our views are on this matter. I can do so in a very few words indeed. So long, Sir, as the responsibility for the executive government of this country rests on the Government of India as at present constituted, and, so long as the Government of India are responsible to Parliament through the Secretary of State for India, so long must they retain a very large measure of discretion to accept, or to reject or to modify the recommendations which may be made by this Assembly. I am sure that it will be conceded by every one that it would be an impossible position if the responsibility for the administration rested with us, and, at the same time, we were required to accept and give effect in practice to the lines of policy laid down by the Opposition in this House who have no responsibility for the administration. I think the proposition has only to be stated in that form in order to expose its unreasonableness. On the other hand, if we were bound to accept every conclusion registered by the Opposition, then there would be no need of any Government of India Act, because responsible government would at once be complete and effective. On the other hand, because we cannot in all cases accept the recommendations put forward by this House, it does not mean that all its opinions are thrown into the waste paper basket. Far from it. I would ask the House to realise that we do pay the greatest attention to what falls from Members of this House, to whatever Party they belong and from whatever quarter of the House those opinions are expressed. I can give you one example which has just come into my head.

[Sir Joseph Bhole.]

During the last few days, you will remember, Sir, the grievances of third class passengers were stressed with a great amount of vigour in this House. I myself personally believe that it is really unreasonable for any one to expect that an old established far reaching system can be altered and changed completely in a very short time. Nevertheless, the public point of view as stressed in this House and given expression to by Members from all quarters of the House has been regarded and I can assure the House that at the moment we are at work on a completely new design for a third class coach which will, I hope, embody a great many of, if not all the suggestions which have been put forward. I hope that these plans will be completed very shortly, and, if it is possible for us to have a meeting of the Central Advisory Committee before the end of this month, I hope to be able to place those plans before them and to convince them how far we have gone in this matter. (Hear, hear.)

Then, Sir, a grievance has been made of the fact that we did not give immediate notice to terminate the Indo-British Agreement as a consequence of the passing of a Resolution by a comparatively small majority of this House. So far as I am concerned, my own feeling is that the practical consequences and implications of that Agreement cannot be fully and properly appreciated from the enunciation of the general principles contained in that Agreement. As far as I can see, in order to give practical effect to those general provisions, it will be necessary to bring individual duties before this House; and this House will then be in a position to consider the general provisions from a practical and concrete point of view. It surely cannot be claimed that we are riding rough-shod over the decision of this House for the simple reason. . . .

**Prof. N. G. Ranga** (Guntur *cum* Nellore: Non-Muhammadan Rural): What about rice?

**The Honourable Sir Joseph Bhole:** If my Honourable friend will wait a few days, he will probably realise that we have not omitted to consider that question. Whether the result of that consideration will or will not be favourable to my Honourable friend's hopes, he must wait and see.

Now, Sir, let me take another case; let me take the much-abused Ottawa Agreement. Here, again, we have made it perfectly clear that we propose to place the whole question before this House next year in accordance with the undertaking we gave to this House, and if this House, as a result of a judicial, fair and equitable assessment of the results which have ensued, comes to the conclusion that notice of termination should be given, we certainly shall not stand in the way. These facts and other facts which Honourable Members can verify for themselves will, I am sure, convince any reasonable person in this House that we are not as unresponsive as we are alleged to be. But when Honourable Members talk of responsiveness, what they really mean is that we as a Government should accept the dictation of the Opposition provided that Opposition can carry a majority of the votes of this House. As I have explained, Sir, it is impossible for the Government of India, situated as it is and the Constitution being what it is, to accept that position. My Honourable friends must blame the Constitution, and not the Government of India.

**Sir Cowasji Jehangir:** Sir, I find that my Honourable friend is not in his seat, and, therefore, I speak under a certain disadvantage. But, Sir, he will forgive me if I say that it was difficult for me to clearly understand what were the issues he was placing before the House. The speech was undoubtedly lucid as usual, but it struck me that like the eminent lawyer that he is, not having quite decided upon what the issues were, he was attempting to put them as he would before a jury rather vaguely. Suffering under this disadvantage, I will attempt, so far as I can, to analyse his arguments and his statements of facts. He first started off and continued for some length of time condemning the present system of Government, that is, the present Constitution under which we work. But may I remind him and his friends that this is not the first time we have heard a condemnation of the present Constitution in this very House, in language perhaps as strong as he used today? Nor are my Honourable friends who sit on the opposite Benches unaware of the dissatisfaction that we on our side feel at the handicaps and disadvantages under which we work. Sir, how often in the past have we told our Honourable friends opposite in clear and unequivocal language that we fully realise that they are not the Government of India, that they are in theory and in fact, in practice and in law, the agents of the Secretary of State for India who is responsible to Parliament? We have realised that years ago and we have, in unequivocal language, I will repeat, told them so. Sir, so far as I am personally concerned, I agree in the condemnation of the present Constitution. It is a Constitution which makes us completely irresponsible, which enables us to say what we please without having to be responsible for the consequences. It enables us, nay, forces us sometimes, to vote against our convictions to show how powerless we are. Are we not aware of all that? Have we not said that before in this very House? Before my Honourable friend, the Leader of the Opposition, ever dreamt of coming here or was perhaps, shall I say, able to come here, this has been said on many occasions. After that very eloquent condemnation of the present Constitution, which might have been more clearly explained to this House by some of my Honourable friends who sit on the Treasury Benches and who are perfectly aware of the handicaps and disadvantages under which they themselves work, we now come to another part of my Honourable friend's speech where he laboured to justify, if I may say so, the policy of the great organisation and institution of which he is an honoured member, the National Congress of India.

Sir, let him not forget that we are all Indians, Indians first and Indians last; and I personally feel that I am an Indian first and an Indian last,—not a Muhammadan, not a Hindu, not a Christian and not a Parsi, but an Indian first and an Indian last, as long as I stand here to represent the great constituency that has sent me. And, therefore, if I disagree with him when he tries to justify the methods that were adopted by his great party, he will forgive me, for it will not be the first time that I have disagreed with the methods adopted by his party in the past. I have genuinely felt, honestly and sincerely felt, that some of their actions, some of their principles were not in the interests of our motherland, and I have a right, as great a right and justification of expressing that opinion as he has of standing here and justifying his past actions. I sincerely and honestly believe that his past actions and those of his party were not in the interests of our country and that his present action and that of his friends and of

[Sir Cowasji Jehangir.]

the great organisation to which he belongs and which has enabled him to come to this House, is not the right policy to adopt. Now having completely disagreed with the policy of his party in the past, having expressed that opinion on many occasions when I had more time at my disposal than I have today, and having shown how that policy has acted against the interests of our country, I will go no further.

Then, my Honourable friend complained and perhaps rightly that our suggestions backed by our vote in this House are not accepted by my Honourable friends opposite. But that is the Constitution: that is the Constitution against which we have protested and are protesting, which we desire changed, which we have made every effort during the last number of years to see changed. We know very well indeed that we are irresponsible and they are not responsible to us. We know that fact: we are aware of that fact: sometimes we believe that their refusal to agree with us is not their own action: being agents, they carry out the instructions of their masters . . . . .

**Mr. S. Satyamurti** (Madras City: Non-Muhammadan Urban): Is that so?

**Sir Cowasji Jehangir**: Of course it is so.

**Mr. S. Satyamurti**: None of them says so.

**Sir Cowasji Jehangir**: There can be no doubt about it that very often some of them have to carry out instructions given to them by their lord and master, the great Mughal who sits at Whitehall—instructions with which they are not in agreement. Sometimes they themselves disagree with us and insist upon carrying out their own desires, their own decisions. But that is the Constitution about which we have been complaining for years. That is the Constitution which we desire to upset: our goal is self-government for this country, and, therefore, we have been, according to our own lights, working, acting and behaving in a way that will lead us to the goal of our ambitions—self-government for India. My Honourable friends have the same goal in view and they have been acting and asking others to act on other principles all trying to lead to the same goal. Now, which is the method that we are going to adopt here to attain that goal? Is it the method that we have adopted in the past, or are my friends determined to continue here and outside the methods that they have tried for the last four or five years? That is the crux of the question. I prefer to continue with the methods I and my friends have adopted for the last number of years fully believing, sincerely believing that the methods adopted by my Congress friends to attain the same goal will take a longer time—nay more, may end in setting back the hands of the clock to such an extent that it may make it impossible in our lifetime to see my Congress friends taking their place on those Benches opposite. Believing sincerely and honestly that those methods will take longer—nay more, may put back the hands of the clock during our life time—I cannot agree with the methods proposed by my Honourable friends; and this vote now moved in this Honourable House is only the continuance of the method that has been adopted by them for the last few years, the method of obstruction; and desiring as much as they do and being as anxious as they are—I may say, more anxious than many of them—to attain the goal of self-government, I

will insist upon sticking and adhering to my own methods and I shall refuse, as I have always done, to follow their methods of obstruction. Under these circumstances, they will not find me in their lobby . . . .

**Pandit Govind Ballabh Pant:** We very seldom find you there.

**Sir Cowasji Jehangir:** No, Mr. Pant: you are wrong, and I feel sure you will be convinced that you are wrong; but because I feel strongly I am going to make an appeal to my Honourable friends. I will make an appeal to my Honourable friend, Mr. Pant, whom, during the last six weeks, I have learnt to treat with the greatest respect, for whose impartiality and clear thinking I have got the highest respect: I will make an appeal to him and all his friends: do not make up your minds as to what you are able to do in this House with only six weeks' experience . . . .

**An Honourable Member:** We have burnt our boats.

**Sir Cowasji Jehangir:** You have burnt your boats? Ah. There is the truth. The cat is out of the bag: they have burnt their boats and nothing is left to them now. Mr. President, do not let them be so pessimistic. If such pessimism gets hold of them, we shall lose the battle (*Honourable Members*: "No, no") when we had hoped to find so many sincere and honest warriors. Do not be so pessimistic: you have not burnt your boats (laughter); you have still got them ready and you have only got to man them in the right way to lead you to the goal of your ambitions. But so long as you believe and feel that you have burnt your boats, you will be of no use to your country. I repeat that I desire to make an appeal to my Honourable friends to give this House a little more trial than of six weeks. I know and I am perfectly aware of the fact that we are irresponsible, but I do agree with my Honourable friend, Sir Joseph Bhole, whom we are very soon going to lose, that we can serve our country to a very great extent by being Members of this House and the best evidence I can bring forward to prove my contention is the presence of all my Honourable friends of the Congress Party in this Honourable House today.

**Sardar Sant Singh (West Punjab: Sikh):** Sir, if I intervene in this debate, it is because a very important issue has been raised by my Honourable friend, Mr. James, and that issue is purely a constitutional issue, and I shall deal with it in that spirit.

My friend, Mr. James, put a very pertinent question as to the position of this House and its power to refuse supplies to the Members of the Treasury Benches under the present Constitution. Sir, I have always been very clear on this issue. We know that the present Constitution is a restricted Constitution, we know that the executive is not responsible to this House, and we also know that the executive is irremovable by any vote of this House. Not only that, but we know further that a large portion of the supplies has been declared as non-votable by the Constitution. In spite of this knowledge, we are here. The position taken up by my Honourable friend on my left is this—he says, why should we, knowing all these facts, care for the cut motion which is intended to refuse supplies to the Members of the Executive Council? It is a constitutional position which is well known to the democracies of the world, that the refusal of supplies signifies the existence of a grievance in the country. It is also a well recognised method of ventilating grievances, and that is why such

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provisions are embodied in the constitutional laws of the democratic countries. Now, if, as has been argued today by more speakers than one, the executive Government of India is merely an agent, a subordinate Government, carrying on the behests of the Great Mughal at Whitehall,—why, Sir,—may I ask from those who argue in that way, why a Finance Bill is introduced annually for demanding supplies from us? Is it not inconsistent with the position of the Government of India being a subordinate Government? The very fact that the Finance Bill is brought before this House, as an annual event, shows that there is some power in this House to refuse the supplies. If it is so, why not utilise this occasion to express the grievances of the country before the supplies are voted to the executive Government? It is sometimes asked what is the good of refusing supplies when the power has been vested in the Governor General to certify any measure which this House throws out as unwanted? Sir, this is a fallacious argument. Rather, this fact strengthens our position. The House must refuse the supplies so long as the grievances of the people remain unredressed. Why should we be a consenting party to voting the supplies? They can rule us with their executive power, they can rule us by the aid of the powers vested in them, by the force, not of arguments, but of weapons. We should not be a consenting party to this sort of Government where we know that the executive is not responsible to the Legislature. My friend, Mr. James, advanced another argument, and he said that if you are more careful in your speeches and show more responsibility towards the executive, the executive will be more responsive to your demands . . . .

**Mr. F. E. James:** I did not say that.

**Sardar Sant Singh:** My friend says he did not say that, but I took down the notes of his speech, and I shall just read them out . . . .

**An Honourable Member:** You are not a short-hand writer.

**Sardar Sant Singh:** I may not be, but I tried to take down what actually he said. This is what he said—work in the spirit of the Constitution, and the executive is likely to show more responsiveness than it does today. He also told us that those Assemblies in which the policy of obstruction was followed did not get anything out of the executive, but those which worked the Constitution in a proper spirit, commanded greater respect from the executive . . . .

**Mr. N. M. Joshi (Nominated Non-Official):** What is the spirit of the Constitution?

**Sardar Sant Singh:** My friend, Mr. Joshi, asks me what is the spirit of the Constitution? Well, that is a question which nobody can reply on this side of the House. It admits of no reply. The spirit of the Constitution as disclosed by the various speeches in this House is that the executive is irresponsible and is irremovable. That is the spirit of the Constitution under which we are working today. Sir, the case of the last Assembly is before my eyes. The last Assembly could not be said to be an Assembly of obstructionists. Was any responsiveness shown to it by the executive? On the other hand, all repressive measures in the

armoury of the executive were brought before the last Assembly and passed into law. Is that the spirit of responsiveness? Was not the Reserve Bank Bill passed, and none of the amendments placed by the Opposition accepted? Not even one amendment was accepted by the Government. My friend, Dr. Ziauddin Ahmad, had put in more than a hundred amendments to the Reserve Bank Bill, but not a single one was accepted. Was that an obstructionist Assembly? Similarly, when the Press Act was passed in the last Assembly I gave notice of about 78 amendments urging the importance of having the rule of law in the country and not the rule of the executive. Though the then Law Member, Sir C. P. Ramaswami Aiyar, accepted the principle, he defended the attitude of the Government by saying that it was only a provisional measure meant for a couple of years, and that was why he could not yield to the principle of the rule of law. I ask, what difference does it make to the occupants of the Treasury Benches if the Assembly today makes up its mind to respond to their appeal for co-operation or if it begins to obstruct the Government at every stage? I wish this principle of expediency as enunciated by my friend, Mr. James, had been acted upon in the last Assembly, so that we might have imbibed the spirit of greater co-operation. But what do we find here? The executive does not want responsive co-operation, but demands slavish co-operation. The executive expects of us to submit to every one of its demands, that we should do what they desire us to do and not what our better judgment asks us to do. That is what we object to. That is a spirit which we want to kill under this Constitution. The next Constitution may come or may not come, it is not known yet, but even if it is forced upon us, the result will not be different.

We want a change of heart, a change of mind in the Executive Government as it is at present constituted. As soon as there is an  
 4 P. M. evidence of that change of heart, I think the House will be more open to reason than it is at present today. The first advance must come from the Executive Government and not from the Opposition. The Opposition is here to oppose. We realise the constitutional position, we know that our vote would not affect them. It would not cause them the least inconvenience in their homes, here or while sitting in their offices. But we refuse to consent to be ruled by the methods which are being adopted at present. We refuse to be a party to granting them the money which is to be raised mostly from the poorer classes, so long as we have the right to do so under this very Constitution.

**Maulvi Syed Murtaza Sahib Bahadur** (South Madras: Muhammadan): Sir, though I wanted to participate in the general discussion, I was not fortunate enough to catch your eye. Now, as regards this motion, I have to explain the position of the Muslims and make it very clear. The Deputy President in his speech appealed to the Muslims to make common cause with the Hindus and see that responsible self-government was achieved. So far as that matter is concerned, I am at one with him, but in that connection he has unnecessarily introduced the question of the Communal Award. Mr. President, we are not enamoured of the Communal Award. We know, every Member of the House knows, as to who are the authors of this Communal Award. Had the majority community adopted the same course as was done by the Wafdist Party in Egypt under the leadership of the late lamented Zaglul Pasha, this question would have been settled long ago and we would have been in a position to present a united front

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and all these difficulties would not have arisen. It was proved on many an occasion, even on the floor of this House, as to what was the outcome of the Round Table discussions. Who are the parties who did not signify their willingness to bring about a settlement? Even now, when Babu Rajendra Prasad, the President of the Indian National Congress, and Mr. Muhammad Ali Jinnah, the President of the All-India Muslim League, tried to bring about an amicable settlement only recently, so that we might be able to present a united front, who were those who stood in their way? Is not the House aware that telegrams after telegrams poured in to the President of the Indian National Congress? My Honourable friend, Bhai Parma Nand, criticised the Congress Party as a whole the other day for observing neutrality. Though I do not belong to that Party, I have got every sympathy for it as I was connected with it for years together. Not only that, I was one of the members of the All-India Congress Committee, and one of the 12 members of the Arbitration Board attached to the All-India Congress Committee for the purpose of settling the election disputes.

When I was asked by some of my friends as to whether I wanted to speak on this motion, I said I was not keen on it, but that I would simply record my vote silently. But, now, Sir, having intervened in the discussion, I endorse every reason that was advanced by the Leader of the Opposition for rejecting this grant. (Cheers from the Congress Party Benches.) In addition thereto, I have to say that the forward policy, which is a mischievous policy, of the Government must be criticised by each and every one on this side. The Government may come forward and say, we want to resort to the forward policy and undermine the Pathans, and we do not want to see them getting on in this world, but they should be crushed. Let them say so and allot Rs. 25 lakhs or even Rs. 50 lakhs for that purpose. I know personally what the sentiments of these Pathans are. I have gone to their homes. I have had conversations with them. I know what their views are. Why, there is my colleague here, Dr. Khan Sahib. Yesterday, unfortunately, he was not in a position to lay his case before the House. He was interrupted and, of course, I do not approve of the vehemence of his language. After all, he is a Pathan. (Laughter.) But all the Pathans regard this proposal as mischievous and what they say is:

“Mara bakhaire to ummeed neest aher Marasan.”

This is a Persian saying which every Pathan, every Afridi, every Mahsudi, daily gives utterance to. This means: “I do not expect any good from you; I shall be quite satisfied and even thankful to you if you do not play mischief, which would be deemed to be a great boon to us.” This is what every Pathan is saying.

[At this stage, Major Nawab Ahmad Nawaz Khan rose in his seat.]

**Some Honourable Members:** The Honourable Member does not give way.

**Maulvi Syed Murtuza Sahib Bahadur:** I do not mind. He poses himself as a great Persian scholar. Let him ask me. Come on, Mister. (Laughter.)

**Mr. President** (The Honourable Sir Abdur Bahim): (To Major Nawab Ahmad Nawaz Khan) Does the Honourable Member want to make a personal explanation?

**Major Nawab Ahmad Nawaz Khan:** No, Sir. I want to correct the Honourable Member about the Pathans. He said . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): This is not the time. (Laughter.)

**Maulvi Syed Murtuza Sahib Bahadur:** Sir, I have got another grievance, which relates to my own province. I am not at one with my Honourable friend, Mr. Sham Lal, when he said that it was not necessary that we should touch upon provincial subjects. It is only the provinces that make the whole country and the Government of India. The conciliatory reply of my Honourable friend, Sir Joseph Bhore, *re* the dumping of rice, has not satisfied us. The peasants and cultivators there are starving. No protective duty has been imposed on the Siam and China rice. Again, a mild proposal was made by the Honourable the Finance Member that the export duty on skins, which, after all, amounts to a few lakhs, should be ~~done away with~~. Sir, you know that last year the export duty on hides was reduced from 15 to 5 per cent. That has almost killed the tanning industry of my province. The House may be aware that the tanning industry of Southern India is next only to the textile industry. So, I hope that my Bombay friends will support us when we will make a move in that direction that the proposal does not at all find favour with us.

Then, before concluding, I have to bring one important point to the notice of this House, through you. You were a very popular High Court Judge in Madras. Ever since your retirement, we have not had even a single Muslim Judge there.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. That cannot be ventilated now. The Honourable Member will have plenty of opportunities to discuss that under the Finance Bill.

**Maulvi Syed Murtuza Sahib Bahadur:** We had at least one Muslim out of the seven Members of the Cabinet, four Executive Councillors and three Ministers. Now, there is not even a single Muslim there. (*An Honourable Member:* "Sir Muhammad Uaman was a Governor.") He was a Governor. He is not the Governor now, and, again, in the Public Services Commission, the Chairman was a Muslim in the person of Sir Bazlullah. He retired.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair must inform the Honourable Member that these are not matters which can be discussed under the present motion.

**Maulvi Syed Murtuza Sahib Bahadur:** I bow to your ruling. I will embrace the earliest opportunity of re-opening this discussion when I get an opportunity during the discussion on the Finance Bill.

**Mr. S. Satyamurti:** Mr. President, there are some people more loyal than the King himself. To that category belong my Honourable friend, the European Member from Madras and the Honourable Baronet from Bombay. Between them, they made the executive Government look so ridiculous in

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the eyes of the House that I think they may well exclaim "Save us from our friends". The Honourable the Baronet made them merely machines to carry out the orders of the Secretary of State.

**Sir Cowasji Jehangir:** You are merely a machine to carry out the orders of somebody else.

**Mr. S. Satyamurti:** I suggest that my Honourable friend, who shouts at times to others to keep order, may follow his precept, for some time at least.

**Sir Cowasji Jehangir:** I wish you had done it up to now.

**Mr. S. Satyamurti:** I suggest to my Honourable friend, the Baronet from Bombay, that when next he addresses this House on the exact position of the Executive Council of the Government of India, he consults them in advance. Now, I should like to put it to my Honourable friends, the occupants of the Treasury Bench, as to why seven good men and true should sit here week after week, month after month in order to carry out the orders of the Secretary of State 6,000 miles away. But, Sir, I am glad to find that the Honourable the Commerce Member did not take that line. He took what I consider the more plausible line: "We have some discretion. We try to use it in order to respond to the public opinion of this House". And, lo and behold! He opened his magic box and told an astonished House in how many directions this Government had responded to the wishes of this House, and out of that magic box came forth the future third class carriage which some experts are inventing, and which will one day be placed before the House, and which will satisfy the demands of the people for improving the conveniences of third class passengers.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta.)]

My Honourable friend, the Leader of the Opposition, referred to the Honourable the Finance Member's sense of humour. I respectfully suggest to the Honourable the Commerce Member to learn a few lessons in that sense of humour from the Honourable the Finance Member, before he starts again to tell the House as to how the Government are responding to the wishes of the House. Now, Sir, I will take the position as I find it under the Constitution. My Honourable friend, the European Member from Madras, asked us a few pertinent questions. I will answer them to the best of my ability, before I sit down, but, in the meantime, may I ask my Honourable friends, the Members of the Executive Council, whether it is part of the Government of India Act and of the Constitution that at question time, morning after morning, they ought to continually specialise in the art of using words to conceal thoughts, never to answer straight and direct questions with straight and direct answers, to give evasive answers? To say that they cannot answer this question or that or to remain silent—is that part of the Government of India Act? Is that part of the Constitution? Will the Secretary of State withdraw their salaries if they are more upright, more communicative, more reasonable in their answers?

**Mr. F. E. James:** That is only what you did on the Syndicate of the Madras University?

**Mr. S. Satyamurti:** Now, Sir, I shall take the various Resolutions of this Assembly which have been passed in this Session, ever since we began. I venture to submit to this House, Mr. Deputy President, that on no single occasion had we obstructed the Government or taken any attitude out of an obstructive spirit. We have passed a series of Resolutions on the Joint Parliamentary Committee Report. We rejected the entire scheme, in the words of the spokesman of the Government.

**Sir Cowasji Jehangir:** You did not reject the entire scheme.

**Mr. S. Satyamurti:** My Honourable friend, the Baronet, must really learn better manners.

**Sir Cowasji Jehangir:** I will learn better manners when you teach by example.

**Major Nawab Ahmad Nawaz Khan** (Nominated Non-Official): He has got better manners than the Congress.

**Mr. S. Satyamurti:** My Honourable friend has got a colleague over there! I do suggest that people who have been much longer here than some of us, humbler men who have come here later, may set us better lessons in the art of conducting debates in this House, than they have shown. Now, Sir, what was the result of the Resolutions on the Joint Parliamentary Committee's Report? So far as I can see it, it has not created a ripple in the House of Commons. The Secretary of State has not so much as referred to them. I should like to know what the Government of India did by way of communicating these Resolutions to them. On the other hand, a few Princes meet in Bombay. Cables fly and, lo and behold, the Secretary of State produces amendments after amendments to the Government of India Bill. I ask the Government of India whether this is acting in response to the wishes of this House.

Then, Sir, we asked for the removal of the ban on the Khudai Khidmatgars, and the Honourable the Home Member ended a very fierce speech by saying "We are not going to allow this organisation to function". That was a vote of the whole House by a distinct majority of this House, and the Government have not chosen to respect that.

Then, Sir, we passed a Resolution to terminate the Indo-British Trade Agreement. My Honourable friend, the Commerce Member, did not even have the courtesy of coming to this House and saying "We regret we cannot accept your Resolution". It was left to the Secretary of State to communicate to the House of Commons that our vote did not count. Now, is that giving any response to the wishes of this House? We passed a Resolution asking for the release of Mr. Sarat Chandra Bose. Nothing has been done. We were promised opportunities for discussing that. Nothing has been done. Now, is that acting in response to the wishes of this House? We passed a Resolution asking for the withdrawal of the circular about the Village Industries Association. Nothing has been done!

**The Honourable Sir Henry Craik** (Home Member): You did not pass any such Resolution.

**Mr. S. Satyamurti**: Because we could not, as the Government went on putting up speaker after speaker.

**The Honourable Sir Henry Craik**: That is a totally different tune. (Laughter.)

**Mr. S. Satyamurti**: As regards the import of foreign rice, the Honourable the Commerce Member simply says—"wait and see". Sir, we have waited and seen long enough.

As regards the taxation policy, a Resolution was passed which the Honourable the Finance Member seemed almost to accept, asking for the removal of income-tax on lower incomes, asking for the removal of the excise duty on matches and on sugar, and we have a budget which reproduces all those proposals! And, in passing, may I say this that the Honourable the Finance Member believes in taxing the poor more than in taxing the rich and in spending the money that is got, in order to feed the ever-hungry Military Department of the Government of India?

**The Honourable Sir James Grigg**: Perhaps the Honourable Member would confine himself to giving his own views when he cannot give mine correctly.

**Mr. S. Satyamurti**: My Honourable friend must use some other language than he does, if he thinks my interpretation of his language is wrong.

**The Honourable Sir James Grigg**: Absolutely wrong.

**Mr. S. Satyamurti**: His budget does not reproduce any of the aspects of the Resolutions discussed by this House . . . .

**The Honourable Sir James Grigg**: The Resolution was only for an inquiry, and not a formal Resolution laying down a policy.

**Mr. S. Satyamurti**: What has been done on the Resolution for an inquiry? Nothing has been done.

Then, the Honourable the Industries Member came forward with his Unemployment Convention. The House turned it down.

**The Honourable Sir Joseph Blore**: It did nothing of the kind. (Cries of "Hear, hear" from the Official Benches.)

**Mr. S. Satyamurti**: We carried an amendment which the Government had opposed, . . . .

**The Honourable Sir Henry Craik:** That is wholly untrue.

**Mr. S. Satyamurti:** . . . and ultimately, the Government and the Opposition joined together and refused to do anything to implement the Convention.

Then, on the Railway Demands, my Honourable friend, the Commerce Member, referred to the third class carriages, but what about the other cut motions which were pressed to a division and which were carried?—the abolition of the Railway Board (Laughter), the Indianisation of the services, the rates and fares, and the grievances of railway labour? They turned them all down. And apart from this Assembly, in the last Assembly, how did they fare? Were they able to get the Army Bill amended, as they wanted, to get the Navy Bill amended, as they wanted, to get the Reserve Bank Bill amended, as they wanted? And yet the Baronet from Bombay says that they were in happier times before we came here.

**Sir Cowasji Jehangir:** I never said anything of the sort. Sir, I protest against wrong words being put into my mouth. I never said that we were happier before. Now, if the Honourable Member wants to quote me correctly, let him do so, but if he cannot do so and his memory is wanting, let him not quote me, but let him sit down.

**Mr. S. Satyamurti:** My Honourable friend makes up for poorness of argument by loudness of voice. I suggest that, undoubtedly, the impression he gave of his speech was that, because we are here, because we are following certain methods which he does not approve of, therefore the Government are not responding.

**Sir Cowasji Jehangir:** I never said anything of the sort, nor intended anything of this sort. What I did convey was that their presence here would be a great asset to the House.

**Mr. S. Satyamurti:** Yes,—*if* we changed our methods, which we do not propose to do, and *if* we changed our principles which we do not propose to do; that was the conditional offer which the Honourable the Baronet from Bombay made.

So far as the attitude of the Government towards the fundamental questions governing the prosperity and the well-being of this country is concerned, may I say one word that, while this Government undoubtedly is not self-government,—one knows it,—this Government is not a responsible Government,—I concede that,—my point is that this Government is not a "responsive" Government, and it has not even established the elements of good government in this country. What has it done all these 150 years? Let Sir Walter Layton, the Financial Adviser of the Simon Commission, answer. He says that, while the annual average income of the Britisher is £100 per annum, the average income of the Indian, on the most optimistic estimate, is about £8 per annum, that is, 1/12, and yet we are spending two per cent. of our revenues on the military and naval defences, while in Great Britain they spend two and a half

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per cent. Sir, while they spend about £10 on education, we spend nine pence. (Hear, hear.) These facts are not given by me, but by Sir Walter Layton. Sir, that is the record of this Government! After 150 years, the average life of the Indian is about 25 years, while the average life of the Britisher is about 63 years. While the average income of the Indian, as I have said, is only about £8, the average income of the Britisher is £100. Then, in our country, Sir, only ten per cent. can read and write, after these 150 years of British rule, and 90 per cent. are still wholly illiterate. Sir, what is it that they have done? They have not reproduced here, even yet, the elements of good government.

I now want to say a word on the way in which the Executive Council, as represented here, has carried out or is trying to carry out the dual policy, as it is fashionably called, of the Government of India,—on the one hand, to crush the Congress, and on the other hand, to facilitate the reforms towards Dominion Status. Now, they have grossly, miserably, failed in both these arms of their dual policy. They have not succeeded in crushing the Congress. They will never succeed in doing so; so long as a single self-respecting Indian lives and breathes, the Congress will live and work for the freedom of this country (Loud and Prolonged Cheers), and this Government has miserably failed in that attempt. The last elections, Mr. Deputy President, excepting in the case of a few stray friends like the Honourable Baronet from Bombay, showed that the Congress literally swept the polls from north to south and from east to west.

Sir, that is the answer of the people of this country to the repressive policy of the Government. On the other hand, Mr. Deputy President, on the question of implementing the reforms, this Government of India itself has been treated as a door-mat by the Secretary of State for India. The Viceroy told this House and the Home Member told the House the other day that, on the question of direct election to the Federal Lower House, the Government were over-ruled by the Secretary of State. On the question of the Statutory Railway Authority, the Honourable the Commerce Member, Sir, gave an undertaking to the Assembly last year that the opinion of this House would be implemented by suitable legislation here, and yet the matter has been taken over and incorporated in the Government of India Bill without so much as . . . . .

**The Honourable Sir Joseph Bhore:** Will my Honourable friend point to the passage where I gave that assurance?

**Mr S. Satyamurti:** During the last budget debate, the Honourable the Commerce Member said that he would forward the debate, and the opinion of this House, *vis.*, that this House should implement the legislation here. That was the vote of the House.

**The Honourable Sir Joseph Bhore:** Exactly, but that is very different to what the Honourable Member just now attributed to me.

**Mr. S. Satyamurti:** The Honourable the Commerce Member undertook to forward the debate to the Secretary of State.

**The Honourable Sir Joseph Bhoré:** That was done.

**Mr. S. Satyamurti:** What has he done in favour of that course? What would he say if I were to tell him that, every time he forwards a recommendation of this House, he puts in a veto behind that? That is another matter. I give him credit that, when he, as an Honourable Member, sends the debate of this House without having opposed it here, and without saying any other words, he would naturally carry out his duty as a Member of the Government, and that he would not suggest that it should not be done there . . . .

**The Honourable Sir Joseph Bhoré:** My Honourable friend must confine himself to facts and not to assumptions.

**Mr. S. Satyamurti:** It is an assumption based on the fact that he is a Member of this House and he has not told this House that he did not recommend that course. I give him credit for that. If he now says he differed from the House on the point that there should be legislation here, I would have no quarrel with him; but undoubtedly this House wanted legislation to be enacted here, and I believe all parties agreed to it, and yet the Secretary of State simply swept aside all our recommendations. Now, I ask this Government whether they have got self-respect enough to stand up to the Secretary of State. I have heard and read of Governments of India who did stand up to the Secretary of State more than once, but apparently this Government is too invertebrate even to do that. That is all I have to say with regard to the policy of this Government towards the economic and material welfare of this country.

There is one matter which I should dispose of in the briefest possible moment, namely, the unfortunate reference to the Communal Award by more than one speaker. I want to say only just two or three sentences. I am anxious not to say a word which may exacerbate feeling or make the situation which is already difficult and delicate, more so.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

I only want to say that the Congress staked its very existence on its attitude of neutrality over the Communal Award. The Congress wants the Communal Award to be substituted by an agreement acceptable to all the communities concerned. The Congress stands by it, and will always stand by it. I therefore hope that there will be no misunderstanding, in view of what some individual Members may have said, as to the correct, and, if I may say so, the patriotic attitude of the Congress in this matter. We are doing everything in our power to bring about a settlement.

My Honourable friend, the European Member from Madras, asked us: What are you doing here? May I give him the retort courteous and ask him: What is he doing here? If the Government are helpless and if the Government cannot or will not respond, why is he here? Is he here just to register the decrees of the Government? Is he here to always vote with the Government, and not to reason why? Does he not do that,

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because it suits the Government and his country to do so? I submit, therefore, that [to talk of the Constitution and say that we must accept the spirit of it is wholly irrelevant. Whatever we do here, and so long as you, Sir, sit in that Chair, I claim, is perfectly constitutional]. You are there to see that nothing is done here which is against the Act or the rules or the Standing Orders. Subject to the Act, and subject to the rules and Standing Orders, we will do everything in our power to carry out the mandate of the electorate, whom we have come here to represent. [Our electorate have sent us here, and I would suggest to my Honourable friends to read our manifesto, if they have not already done so. We have come here to show that we have no use for the proposed Constitution. We have come here to repeal all the repressive laws, and to do everything in our power, to serve the material and moral interests of our country, to the extent to which we can, here, Sir, we have tried to offer our co-operation. So far, it has been rejected, almost with contempt. If really there is a change of heart on our part, the responsibility for it will lie with this Executive Council, and with my Honourable friends like the friend from Madras, who think that it is their duty not to reason why, but to vote and die. They should not really go on harping on this matter again and again....]

But, Sir, there is a higher purpose in our being here. [We believe that the strength of this Government today in this country is not in the British army or in the British navy, but in the prestige that they still have in this country. We want to destroy that prestige. We want to show to the country that this Government is irresponsible.] (Interruption by Lieut.-Colonel Sir Henry Gidney.) I am glad to be assured of my Honourable friend's co-operation, and I hope, with his co-operation, we will destroy the prestige of this Government soon.. [Some of our people still believe that this Government is capable of giving good government to this country, that this Government is here with good intentions. We want to snatch away all these trappings from this Government and expose this Government in its naked autocracy to the people of this country. If we succeed in doing that, we have won our object. Positively, we want to increase our prestige with the people. We want to solidify and strengthen our position in the hearts and affections of our people. We have nothing to regret or to take back, in our past actions. We stand by our past conduct and our past principles, and we shall be here, as long as we want to be here, in order to achieve this purpose.]. On the question of the constitutional propriety of this motion, I only want to say this that, only last week, this House carried a cut motion refusing supplies to the Railway Board: and we are now asking the House to repeat in the same manner another cut motion refusing all supplies to the Executive Council, because they are not only not responsible, but they are irresponsible, and have not even guaranteed a good government. [They have no imagination; they have no interest; they have no sympathy with the aspirations of this country, or with the people of this country, and, therefore, they deserve to go, and, when they do go, let me assure them that they will go unwept, unhonoured and unsung.]

**The Honourable Sir Wipendra Sircar (Leader of the House):** Sir, as I was listening to the speeches of my Honourable friends on the opposite

side of the House, it was obvious to me as it would be obvious to anybody here that the deep resentment which exists is not against the Executive Council, but against the system which we, the Executive, are bound to administer under the existing law. Sir, this resentment is due to a feeling of helplessness or, if I may quote the words of my Honourable friend, Pandit Govind Ballabh Pant, of impotent rage against a Constitution under which the Executive is irresponsible to the Legislature. I shall refer, later on, to certain passages from the statements of some of the Honourable speakers to make my points, but I wish to speak generally now. What is the system? Some people seem to have discovered today—and I believe my Honourable friend, Sardar Sant Singh, is one of them—that there is a person whom they call the Great Mughal in Whitehall, and that we are the agents of that Great Mughal. That is a discovery which has been made today. They had not heard of his control before.

**Sardar Sant Singh:** No; I have been using that phrase for the last three years.

**The Honourable Sir Nripendra Sircar:** I thought my friend would say that he had known of that phrase as soon as he had attained majority. But if he discovered it only three years ago, he took a pretty long time to discover it. Now, Sir the constitutional position under the Government of India Act, as we all know, is that the Secretary of State has control—I will use the exact words of the Act. Under section 2, the Secretary of State may, subject to the provisions of the Act, superintend, direct and control all acts, operations and concerns, etc. Therefore, under the Statute, the powers of superintendence and the powers of control are with the Secretary of State. This is the Government of India Act. And as the ruling of the Honourable the President on the last occasion showed—I am taking no point of order, but dealing with the substance—when you are discussing an item in the budget, you have got to assume that the Executive is bound to administer the existing law. It is not for them to say that we shall behave in a particular way, and ignore our responsibility under the present law. We have got to be guided by the Act which is binding on us. Whether you call the position of the Executive here humiliating or whether you call the Secretary of State the Great Mughal, it does not matter at all. Words do not break bones. The point is that the Secretary of State has got the control of the Government in this country and the Executive is liable to be controlled by him. I am not suggesting that he always controls, or did control us in the matter of the Resolutions passed by this House. On the other hand, what is the position of the Opposition, and, without using words in any derogatory sense, I ask, are they not thoroughly irresponsible for the administration? Supposing this were a fully responsible Government which certainly it is not—and we are all agreed there—what would have happened? Take, for instance, the case when the entire grant for the Railway Board was turned down. We would have gone out, and my Honourable friends who are now occupying the Opposite side, far more competent men than ourselves, would have come in and occupied these Benches. Having occupied these Benches, they would have been faced with the situation of running railways without money. If that were the position, if the Opposition ran any risk of having to bear the burden of administrative responsibility, would they have turned down the money required for the railways with a light heart? The point which I desire to make is palpable, I submit it is obvious, but it is

[Sir Nripendra Sircar.]

often lost sight of in the heat of debate. It is conceded, it is admitted, it is perfectly clear that under the Constitution, the Executive is not responsible to the Legislature. Equally it is clear that under this Constitution, the Opposition has no chance of getting the responsibility for administration. It is this double irresponsibility, one kind of irresponsibility on this side of the House and another kind of irresponsibility on the other side of the House which lead to a situation, which causes bitterness and resentment. As I said, this resentment which naturally finds place in the hearts of most, is really against this system which you and I are agreed in condemning as having outlived its utility. I say this double irresponsibility was meant as the first step, the first cautious step towards responsible government. We are all agreed on the point, that the present system is wholly unsatisfactory. But what we are considering is this, so long as the Government of India Act stands, what exactly is the position of the Executive? Is it our responsibility to administer this country, and to take up the administration? If it is so, I would ask Members on the Opposite side to put themselves in our place and to consider what their position would be. Here, we are, the responsibility for the administration is ours, and we cannot get rid of this responsibility, however much we may respect Resolutions. Let us take, for instance, the situation that a Resolution has been passed that all the detenus are to be released. That is the opinion of the House. Now, Sir, if you were in the position of the Executive here, you could not shake off your responsibility for the administration, because you found that by a particular Resolution on a particular day by a majority of four (or 24 or 34, that is immaterial), this House has come to the conclusion which does not agree with your view of your own responsibility. What is then our position? Are we to say: "We know that if all these detenus are released there will be trouble, there will be breaches of the peace and there will be disorder and what not, but never mind, the House has resolved on release, and we are relieved of responsibility". Supposing, on the information which is available to the Executive, that is their conclusion. Are they to let loose everybody, are they to shirk their own responsibility, because this House by a majority has decided that they should be released? I ask the House to consider from a dispassionate point of view what the position of the Executive is, remembering the first proposition which I do not think anybody will dispute, that, what we are now considering is, whether, in administering the existing law, we have done anything for which censure is deserved. All this grievance against this system which is responsible for our position, I submit, Sir, is beside the question. Now, I understand from some of the speeches that the attitude taken up by the Opposition is this. "We have burnt our boats, we are not going to change our methods." Sir, as regards what are the best methods, that is a matter for individual opinion. It is not for me to give any advice as to what they should do or what they should not do. I will not be so presumptuous as to give advice to people who are not prepared to listen to me. But if that is the situation, and if people are here not for work, but for obstruction, does it not follow that all the time this Opposition with this mentality will be strenuously working for creating situations in which the Executive will be compelled to behave in a way opposed to the sense of the Resolution? All the incentive for obstruction is there. As one of my Honourable friends said: "We want prestige before our country". Prestige by obstruction is the game according to

many of my Honourable friends on the Opposite side. Their method of gaining prestige in the country is to defeat the Government, even on measures where they ought to be supported, and to carry Resolutions knowing all the time that, having regard to the nature of the Resolutions, which are directed to impede administration, they cannot be acceptable. When the Opposition turns down the entire money for the Railway Board, it is perfectly aware that Government will not allow the railways to stop having the responsibility for railway administration. They are perfectly sure that this is going to be certified; otherwise, the railways will stop and my Honourable friends cannot be carried back to Malabar after the Session comes to an end here: so that, my Honourable friends who voted down the railway grant were morally certain that this is the situation to which the Executive will be driven. Does it then lie in their mouth to complain that the Executive are not carrying out their Resolution? As I said, Sir, the incentive here is to multiply these occasions and to increase the prestige of the Opposition in the country by going back and saying: "Look here, Sirs, every day we defeated the Government, every day we were passing Resolutions, and they will not accept our advice. See how your representatives have been flouted". What I want to press upon this House is, that, as we are now situated under this vicious system, all the incentive is with some section of the House (which it is not difficult to understand and which I am neither condemning nor approving for the purposes of this argument) for making efforts to compel the executive not to follow the Resolutions having regard to the nature of the Resolutions which are carried in the House. If that is so, certainly it is unreasonable then to turn round and to complain that the Executive has not carried out the Resolutions which the Opposition took the trouble of getting passed in the House, not for helping administration, but for obstructing it.

Sir, I think I heard—I will not rely on my notes to the extent that my Honourable friend, Sardar Sant Singh, did—I think I heard a speech from Sardar Mangal Singh which rather disturbed the pleasant harmony which had been introduced by the Honourable the Leader of the Opposition. When my Honourable friend was speaking and I was listening with rapt attention to his fine speech, I was dreaming of an independent India where no budgets will be required, where there will be no taxation, no money will be required for the civil or the military services (*An Honourable Member*: "You were dreaming")—Yes, I was dreaming like my Honourable friend, Mr. Bhulabhai Desai. I was dreaming that my Honourable friend, as responsible Minister in charge of finances without any salary, was introducing the budget of independent India having nothing on the revenue side, taxation having been abolished; but crores and crores were being provided for the poor masses. I was dreaming of that, and I was imagining how, with the greatest of ease, my Honourable friends on the opposite side will be borrowing a hundred crores a year, probably with no idea of paying it back. Sir, that dream was disturbed when I heard the martial speech of my respected and Honourable friend, Sardar Mangal Singh. He spoke for 18 minutes of which he devoted 2½ minutes to Mother India and 15½ minutes to jobs for Sikhs. I ask my Honourable friend, how is that relevant? If more jobs are given to Sikhs, if there is more representation of Sikhs in the proposed Constitution, will that satisfy him with this budget? Will my Honourable friend say, no? If that is so, then why bring all that into consideration? On the other hand, hearing that speech, whatever the amount of the camouflage may

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be by the opening words, about Mother India, liberty, foreign domination and exploitation, etc., we know the real crux of the thing is, more jobs for Sikhs.

Now, Sir, I refer again (not for raising any wrangle) to the speech of the Deputy President, Mr. Akhil Chandra Datta. I ask him to consider the position of the Executive Council—Assuming that this motion is accepted and the travelling allowances of the Executive Council are cut down, we must take it from the speeches which have been made that the reason why this motion has been allowed is first of all what is to be found in the speech of my Honourable friend, Mr. Desai, to which I need not refer in detail. The grounds are to be found there. Another ground why this motion is being carried is that the Executive Council has supported the Communal Award. That is the ground put by my Honourable friend, Mr. Akhil Chandra Datta. Now, after this motion is carried, I believe if we are responsive, if we have got to carry out the Resolutions of this House, pay the closest attention to the grounds put forward by Honourable Members, then what should we do? We must take it for granted that the Communal Award is a horrible thing, and we must go against it. I do not know how that will please another section of the House. Probably my Honourable friend, Mr. Akhil Chandra Datta, will then say: "Oh, so far as this motion is concerned, never mind what I said; that is not the ground on which I want you to act".

Now, Sir, about the Indo-British Agreement, I really have nothing to add to what my Honourable colleague has said, but I desire to meet some of the points which were made by my Honourable friend, Mr. Satyamurti. The point that he made against us,—and anything is good to strike us with,—is this: "How is it that we Honourable Members coming all the way from different parts of India pass a Resolution about the Joint Parliamentary Committee report and nothing is done about that? But, here, half a dozen Princes have passed a Resolution, and upon that promptly amendments are made in the Houses of Parliament". Sir, that may be a horrible state of affairs, but what part has the Executive Council in those amendments in connection with the ruling Princes? That is to say, Sir, it is very easy to pile up grievances and say at the end, that for every grievance that has been made the Executive Council is responsible. Then, my Honourable friend said something about the dual policy having failed and the Congress not having been crushed, etc. I will not on this occasion go into that at any length at all, but make only a passing reference. I do not for a moment desire to say whether the Congress has been crushed or has not been crushed. Let us not go into that. But what has happened is that the Congress has changed its methods. I am not blaming it, it is not for me to patronise the Congress and tell them that they are now good boys now that they have come back to our fold. I am not taking that attitude at all, but I am pointing out that whether for reasons of expediency or reasons of conviction, but unable to admit and confess that they had made a mistake, they have now come back to this House. Whatever the reason may be, the fact remains that the commotion of civil disobedience has disappeared and the little commotion which we are having is from the speeches of our Honourable friends on both sides of this House. (Interruption from the Congress Benches.) I may assure my Honourable friend, the interruptor, that I have no desire to take any

notice of him. I hope my Honourable friend will now excuse me for talking in a lighter vein in one sentence only. He said that the life of an Indian is 23 years. I am not surprised at that at all. At the rate at which we talk, it is surprising that we last even 23 years.

Now, Sir, before I conclude, I shall end by saying that it is not fair. It is not a legitimate argument, when the real grievance is against the system which is responsible for the irresponsibility of the Executive, and the irresponsibility of the Opposition, to side-track the issue, to turn round and say that the Executive Council must be blamed, because it is administering the existing law which it is bound to do. Sir, I do not expect and I cannot expect that any amount of reason will convince those persons who have made up their minds as to what they are going to do and are making a strenuous search for plausibility for justifying their action. But those in the House who are in a position to take a dispassionate view, to look at the thing in its correct perspective, I ask them that they should not be misled by all the grievances which have been made which are really immaterial for the consideration of this issue as they are not against our administration, but are really against the present constitution. The sole issue is whether, in administering the existing law, anything has been done for which we can be censured. On that the Opposition has failed to make a case.

Sir, the last word I want to say is this. If you apply the real test to any of these Resolutions, you will find the position is like this.

5 P. M. Take, for instance, the case where Mr. ABC under a Resolution ought to have been released, because his detention amounted to a breach of privilege of this House. We have not responded by acting up to that Resolution. On this question, as to whether it has amounted to a breach of privilege or not, are we not entitled to have our own opinion? Are we not bound to form our own opinion? As regards the House itself, was not there a strong body of opinion in favour of the proposition that there was no breach of privilege? Did I not hear my friend, Sir Cowasji Jehangir, say that there was no question of privilege in the case? And my Honourable friend, Mr. Jinnah, whom I need not defend—he does not require any defence from me—was he not quite consistent in refusing to vote, because he thought—and I say quite rightly so—that there was really no question of privilege? If that is so, if, in the exercise of our judgment after listening to all the arguments which could have been advanced and were advanced, we came to the conclusion that there was no breach of privilege, and if, having got to administer the law, we acted according to the best of our judgment, then I submit there is no question of saying that we flouted the decision of this House.

I do not think I shall be justified in taking up the time of this House any further. I have made whatever submissions I had to make, and I would conclude by saying that no grounds have been advanced by my Honourable friends on the opposite side for making out a satisfactory case of our having done anything in an arbitrary, capricious or unreasonable way while we were administering the law by which we are bound.

**Mr. Bhulabhai J. Desai:** Mr. President, I have somehow or other the misfortune to be reminded that every matter has got to be judged by a standard of some other cold logic than the one which I have applied. I

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hope and trust with some effect and advantage during the long course of my career at the bar. I do not know whether it is a confession on the side of those who cannot argue and will not argue and have already intimated to us that it is useless for them to argue, or whether it is a case in which what we submitted to the House was unanswerable.

Coming to the actual reply, on which I shall be very very short indeed, I wish to analyse for my friends who suggested—and indeed there are several friends who made out suggestions self-contradictory—that they did not appreciate the issue which I raised by the cut motion I put before the House. My friend, Sir Cowasji Jehangir, said as a lawyer I knew what I was about, and yet he, a layman, knew better what I was about. That is a fair summary of the very great rhetoric with which he regaled the other side of the House. But my friend, Mr James, undoubtedly deserves much more than a passing notice. I am almost sorry to see that he has missed his vocation. I wish he belonged to my profession: I think he would probably have been infinitely better off than arguing a case for Government for which there are many and better advocates, with due deference to him. I ask this question now, is it within this situation or without it that we are called upon to vote on votable items of the budget? I hope and trust that if it is within that Constitution there must be some occasion to exercise it. If we are to be told here that though these items are votable, because in their sounder judgment they may and probably will disregard the votes of this House and that, therefore, we are not to exercise even such limited privilege as there is, in refusing to grant the supply which we have a right to refuse, I do not know what other issue there is before this House. It is easy indeed to make a summary of phrases of some twenty or thirty speeches and satisfy oneself at the end of it all "Oh, I have made out a case, gentlemen: I am not appealing to those who have made up their minds: I am appealing to some who have not yet made up their mind". I would like to see—I am afraid there was not sufficient clairvoyance to see which were those minds which had not already been affected: but I am here to point out, at least in justice to myself, that if this House has the right to refuse supplies, if it means what my friend means that because what they do is irresponsible in that they are responsible to somebody else, in that they have to carry out somebody else's orders, why have it within that Constitution that you may, notwithstanding the fact that they are carrying out somebody's orders, if they and those who give them the orders have done a wrong, that this House can express its sense of wrong by refusing supplies. That is the genuine issue. (Opposition Cheers.) The issue is not as they would burke it. I know they wish to burke the issue and say "I am very sorry: I am a very good boy: I wanted to do all that you said: but what am I to do with my grandfather?" (Laughter.) If that is not a true and genuine summary of the speech of the Honourable the Leader of the House, I ask this House whether any better summary could be presented. In fact, I have never seen an appeal more *admisere cordiam* by people with all the power and yet with a mock humility which I have heard this afternoon. The Secretary of State did not come in when my friend at the end of his peroration said "You wanted ABC, to be released; but we in our sounder judgment did not do so". Where was the grandfather's behest for the purpose of not carrying it out?

**The Honourable Sir Nripendra Sircar:** The grandfather was asleep.

**Mr. Bhulabhai J. Desai:** Yes: I hope indeed that that grandfather will sleep for ever. (Laughter and continued Opposition Cheers.) Sir, the way in which issues are argued in this House really surprises one. I quite agree it is a matter of catching a vote, and, of course, you are justified in doing what you like, at least that is the policy that I see on the other side: they do not squarely face an issue when it is presented to them. If they admitted before this House "in every single matter we differed from the Secretary of State: here are the orders which we have received: we are helpless," I could understand the plea. Even then, we should have been justified in asking this House to say that through you we are entitled to express our opinion, not merely of your conduct, but of those under whom you serve. As my Honourable friend knows, he is perfectly comfortable: the whole of the Executive Council knows they are perfectly comfortable: their salaries are not votable. How, then, does it happen—this convention that there is this Rs. 70,000 odd, salaries of individuals who assist them in their task, which is the subject of this motion? For they know very well, as they ought to know that it is the token that matters and not the thing. They fully appreciate, but they will not understand: it is not their purpose to understand the true issue and the manner in which it is raised. When we say that Rs. 70,000 shall not be voted, does it mean that the Executive Councillors will starve? Nothing of the kind: they know they will not. But the fact is, and they have, by their own conduct and by the rules of the House, admitted that if, through those men to whom the Rs. 70,000 are to be disbursed, we can express our opinion of their conduct, may I not respectfully say that to them and to their superiors through them this House will express its opinion of their conduct? It is that which is the true issue. The true issue is not, as they pretend, "We the middlemen are thoroughly innocent babes: what can we do? Therefore, please excuse us". That is what they say is the Constitution. I have never heard of such a Constitution: I have never heard even though there is the power of superintendence, that men with the position and power which they enjoy are always obliged to follow the behests, against their own judgment, of the Great Mughal if that is the name by which they wish to honour their chief and their head. The question, therefore, is shortly this, and let there be no shirking about it. Undoubtedly it is, as I said, indicative and a token thing. It is not a thing in itself; it is not the Rs. 70,000 that is in issue, because leaving aside the Secretary of State, what were we saying? What we were saying was that you have not administered the government of this country, that you have not carried on the government of this country entrusted to you within this very law in the manner in which you should and ought to have done. ("Hear, hear" from the Congress Party Benches.) That is the issue, and to those who are, if my friends will have it, still willing to understand and follow my reasoning, and give a vote according to their conscience,—even to them equally that my appeal lies. I am prepared to appeal to my friend, but he has already forewarned me that it is useless to appeal to him, at least he has told me that he has made up his mind on this particular issue. I, therefore, appeal to those who are prepared to understand the true issue and vote upon it. The true issue is not, as Mr. James put it,—what are they to do, what are the Government of India to do? I hope and trust that he does not need the assurance that I read the Act before I came here, and even before that. I only

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hope equally that it was not necessary to remind me that there is such a section as section 2, in fact I turned up many others, the section under which my friends function, which also says that the military and the civil Government of this country is in the hands of the Governor General in Council, subject, of course, to the orders of the Secretary of State. I have read those sections, but those sections do not at all shift the true nature of the issue that we demand and the vote that we demand. Whether it is the Secretary of State who is responsible or whether it is his agents who are responsible, if within the Constitution there is a votable item by inviting a vote on which I can ask the House to say that the administration has not been exclusively and truly in the interests of India, your vote should be for me. That is all I have got to say. (Applause from the Congress Party Benches.)

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

"That the demand under the head 'Executive Council' be reduced to Rupee One."

The Assembly divided:

AYES—65.

Aaron, Mr. Samuel.  
 Abdul Matin Chaudhury, Mr.  
 Aney, Mr. M. S.  
 Asaf Ali, Mr. M.  
 Ayyangar, Mr. M. Ananthasayanam.  
 Azhar Ali, Mr. Munamud.  
 Ba Si, U.  
 Banerjee, Dr. P. N.  
 Baqui, Mr. M. A.  
 Bardaloi, Srijut N. C.  
 Bhagavan Das, Dr.  
 Chattopadhyaya, Mr. Amarendra Nath  
 Chettiar, Mr. T. S. Avinashilingam.  
 Chetty, Mr. Sami Vencatachelam.  
 Das, Mr. B.  
 Das, Mr. Basanta Kumar.  
 Das, Pandit Nilakantha.  
 Datta, Mr. Akhil Chandra.  
 Desai, Mr. Bhulabhai J.  
 Deshmukh, Dr. G. V.  
 Essak Sait, Mr. H. A. Sathar H.  
 Fakir Chand, Mr.  
 Fuzlul Huq, Mr. A. K.  
 Gadgil, Mr. N. V.  
 Giri, Mr. V. V.  
 Govind Das, Seth.  
 Hosmani, Mr. S. K.  
 Iswar Saran, Munshi.  
 Jedhe, Mr. K. M.  
 Jogendra Singh, Sirdar.  
 Joshi, Mr. N. M.  
 Khan Sahib, Dr.  
 Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.  
 Lalchand Navalrai, Mr.  
 Maitra, Pandit Lakshmi Kanta.  
 Mangal Singh, Sardar.  
 Mudaliar, Mr. C. N. Muthuranga.  
 Muhammad Ahmad Kasmi, Qasi,  
 Murtuza Sahib Bahadur, Maulvi  
 Syed.  
 Nageswara Rao, Mr. K.  
 Paliwal, Pandit Sri Krishna Dutta.  
 Pant, Pandit Govind Ballabh.  
 Parma Nand, Bhai.  
 Raghbir Narayan Singh, Choudhri.  
 Rajan, Dr. T. S. S.  
 Raju, Mr. P. S. Kumaraswami.  
 Ranga, Prof. N. G.  
 Saksena, Mr. Mohan Lal.  
 Sant Singh, Sardar.  
 Satyamurti, Mr. S.  
 Sham Lal Mr.  
 Shaikat Ali, Maulana.  
 Sheodass Daga, Seth.  
 Singh, Mr. Deep Narayan.  
 Singh, Mr. Ram Narayan.  
 Sinha, Mr. Anugrah Narayan.  
 Sinha, Mr. Satya Narayan.  
 Sinha, Mr. Shri Krishna.  
 Som, Mr. Surya Kumar.  
 Sri Prakasa, Mr.  
 Thein Maung, Dr.  
 Umar Aly Shah, Mr.  
 Varma, Mr. B. B.  
 Vissanji, Mr. Mathuradas.

## NOES—67.

Abdoola Haroon, Seth Haji.  
 Abdul Aziz, Khan Bahadur Mian.  
 Ahmad Nawaz Khan, Major Nawab.  
 Allah Bakhsh Khan Tiwana, Khan  
 Bahadur Nawab Malik.  
 Anwar ul-Azim, Mr. Muhammad.  
 Ayyar, Rao Bahadur A. A.  
 Venkatarama.  
 Bewoor, Mr. G. V.  
 Bhagchand Soni, Rai Bahadur Seth.  
 Bhore, The Honourable Sir Joseph.  
 Buss, Mr. L. C.  
 Chatarji, Mr. J. M.  
 Craik, The Honourable Sir Henry.  
 Dalal, Dr. R. D.  
 DeSouza, Dr. F. X.  
 Drake, Mr. D. H. C.  
 Ebrahim Haroon Jaffer, Mr. Ahmed.  
 Fazl-i-Haq Piracha Khan Sahib  
 Shaikh.  
 Gajapatiraj, Maharaj Kumar  
 Vijaya Ananda.  
 Gauba, Mr. K. L.  
 Ghiasuddin, Mr. M.  
 Ghulam Bhik Nairang, Syed.  
 Gidney, Lieut.-Colonel Sir Henry.  
 Graham, Sir Lancelot.  
 Grigg, The Honourable Sir James.  
 Hidayatallah, Sir Ghulam Hussain.  
 Hockenhull, Mr. F. W.  
 Hudson, Sir Leslie.  
 James, Mr. F. E.  
 Jawahar Singh, Sardar Bahadur  
 Sardar Sir.  
 Jehangir, Sir Cowasji.  
 Kirpalani, Mr. Hiranand Khushiram.  
 Lal Chand, Captain Rao Bahadur  
 Chaudhri.  
 Lindsay, Sir Darcy.  
 Mehr Shah, Nawab Sahibzada Sir  
 Sayad Muhammad.

Metcalfe, Mr. H. A. F.  
 Milligan, Mr. J. A.  
 Mody, Mr. H. P.  
 Montesth, Mr. J.  
 Morgan, Mr. G.  
 Muhammad Nauman, Mr.  
 Mukerje, Mr. N. R.  
 Mukherjee, Rai Bahadur Sir Satya  
 Charan.  
 Nayar, Mr. C. Govindan.  
 Noyce, The Honourable Sir Frank.  
 Owen, Mr. L.  
 Raisman, Mr. A. J.  
 Rajah, Raja Sir Vasudeva.  
 Rajah, Rao Bahadur M. C.  
 Rajan Bakhsh Shah, Khan Bahadur  
 Makhdum Syed.  
 Ram Chandra, Mr.  
 Rau, Mr. P. R.  
 Richards, Mr. W. J. C.  
 Row, Mr. K. Sanjiva.  
 Sarma, Mr. R. S.  
 Scott, Mr. J. Ramsay.  
 Scott, Mr. W. L.  
 Shafi Daudi, Maulvi Muhammad.  
 Sher Muhammad Khan, Captain  
 Sardar.  
 Siddique Ali Khan, Khan Sahib  
 Nawab.  
 Singh, Mr. Pradyumna Prashad.  
 Sinha, Raja Bahadur Harihar Prasad  
 Narayan.  
 Sircar, The Honourable Sir  
 Nripendra.  
 Sloan, Mr. T.  
 Swithinbank, Mr. B. W.  
 Tottenham, Mr. G. R. F.  
 Yakub, Sir Muhammad.  
 Ziauddin Ahmad, Dr.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Friday, the 8th March, 1935.