

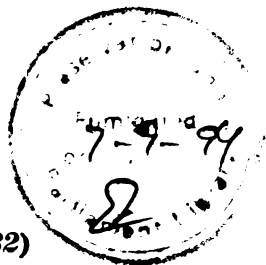
Monday, 25th January, 1932

**THE
LEGISLATIVE ASSEMBLY DEBATES**

(OFFICIAL REPORT)

VOLUME I, 1932

(25th January to 17th February, 1932)



**THIRD SESSION
OF THE
FOURTH LEGISLATIVE ASSEMBLY,
1932**



**CALCUTTA: GOVERNMENT OF INDIA
CENTRAL PUBLICATION BRANCH
1932**

Legislative Assembly.

President :

THE HONOURABLE SIR IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E.

Deputy President :

MR. L. K. SHANMUKHAM CHETTY, M.L.A.

Panel of Chairmen :

SIR HARI SINGH GOUR, Kt., M.L.A.

MR. ARTHUR MOORE, M.B.E., M.L.A.

SIR ABDUR RAHIM, K.C.S.I., Kt., M.L.A.

SIR COWASJI JEHangIR (JUNIOR), K.C.I.E., O.B.E., M.L.A.

Secretary :

MR. S. C. GUPTA, C.I.E., BAR.-AT-LAW.

Assistants of the Secretary :

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

RAI BAHADUR D. DUTT.

Marshal :

CAPTAIN HAJI SARDAR NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Public Petitions :

MR. R. K. SHANMUKHAM CHETTY, M.L.A., *Chairman.*

MR. ARTHUR MOORE, M.B.E., M.L.A.

SIR ABDULLAH SUHRAWARDY, Kt., M.L.A.

DIWAN BAHADUR HARBILAS SARDA, M.L.A.

MR. B. SITARAMARAJU, M.L.A.

CONTENTS

VOLUME I.—25th January to 17th February, 1932.

	PAGE.
Monday, 25th January, 1932—	
Address by His Excellency the Viceroy to the Members of the Legislative Assembly	1—12
Members Sworn	13
Death of the Honourable Mian Sir Muhammad Shafi	13—23
Tuesday, 26th January, 1932—	
Questions and Answers	25—66
Unstarred Questions and Answers	66—72
Motion for Adjournment <i>re</i> the arrest and internment of Mahatma Gandhi—Not moved	72—73
The Indian Partnership Bill—Presentation of the Report of the Select Committee	73
The Hindu Widows' Right of Inheritance Bill—Discussion on the motion to refer to Select Committee not concluded	73—104
Wednesday, 27th January, 1932—	
Questions and Answers	105—112
Resolution <i>re</i> Imperial Bank of India—Negatived	112—125
Resolution <i>re</i> Chief Justices of High Courts—Adopted	125—153
Thursday, 28th January, 1932—	
Statements laid on the Table—	
Election expenses of candidates for election to the Legislative Assembly	155—165
Horse-breeding grantees reported against	165
Election of a Member to the Council of the Indian Institute of Science, Bangalore	165—166
Statement of Business	166
The Indian Companies (Supplementary Amendment) Bill—Introduced	166
The Employers and Workmen (Disputes) Repealing Bill—Introduced	166
The Indian Income-tax (Second Amendment) Bill— <i>contd.</i>	167—209
Monday, 1st February, 1932—	
Members Sworn	211
Resolution <i>re</i> Recent Ordinances— <i>contd.</i>	211—266
Tuesday, 2nd February, 1932—	
Resolution <i>re</i> Recent Ordinances—Negatived	267—325
Wednesday, 3rd February, 1932—	
Members Sworn	327
Questions and Answers	327—366
Unstarred Questions and Answers	366—378
Panel of Chairmen	378

Wednesday, 3rd February, 1932—contd.

Election of a Member to the Council of the Indian Institute of Science, Bangalore	378
Report of the Public Accounts Committee—Laid on the Table	379—392
The Indian Companies (Supplementary Amendment) Bill—Passed	393
The Employers and Workmen (Disputes) Repealing Bill—Passed	394—396
The Indian Finance (Supplementary and Extending) Amendment Bill—Introduced	397
The Indian Air Force Bill—Introduced	397
The Sugar Industry (Protection) Bill—Introduced	398
The Wire and Wire Nail Industry (Protection) Bill—Introduced	398
The Bamboo Paper Industry (Protection) Bill—Introduced	398
The Bengal Criminal Law Amendment (Supplementary) Bill—Discussion on the motion to refer to Select Committee not concluded	399—434

Thursday, 4th February, 1932—

Questions and Answers	435—440
Election of a Member to the Council of the Indian Institute of Science, Bangalore	440
Petitions relating to the Hindu Widows' Right of Inheritance Bill—Laid on the Table	441
Petitions relating to the Hindu Marriages Dissolution Bill—Laid on the Table	441—442
The Hindu Widows' Right of Inheritance Bill—Motion to refer to Select Committee negatived	442—481
The Hindu Marriages Dissolution Bill—Discussion on the motion to refer to Select Committee not concluded	481—493
Statement of Business	493—494

Saturday, 6th February, 1932—

The Wheat Import Duty (Extending) Bill—Introduced	495
The Sugar Industry (Protection) Bill—Referred to Select Committee	495—498
The Wire and Wire Nail Industry (Protection) Bill—Referred to Select Committee	499—505
The Bamboo Paper Industry (Protection) Bill—Referred to Select Committee	505—522
The Indian Air Force Bill—Referred to Select Committee	523—525

Wednesday, 10th February, 1932—

Questions and Answers	527—566
Unstarred Questions and Answers	566—567
Statement laid on the Table <i>re</i> Action taken on Resolutions adopted by the Legislative Assembly	567—570
Resolution <i>re</i> Establishment of a Supreme Court in India—Adopted	571—606

Friday, 12th February, 1932—

Questions and Answers	607—657
Motion for Adjournment <i>re</i> Publication in the Press of the Assembly speeches—Postponed to next day	657—663
The Bengal Criminal Law Amendment (Supplementary) Bill—Referred to Select Committee	663—681
The Indian Finance (Supplementary and Extending) Amendment Bill—Passed	681—682
The Wheat Import Duty (Extending) Bill—Passed	682—694

Saturday, 13th February, 1932—

Questions and Answers	695—711
Unstarred Questions and Answers	711—721
Statement by Mr. President on Mr. C. S. Ranga Iyer's Motion for Adjournment <i>re</i> Publication in the Press of the Proceedings of the Legislature	721—722
Statement of Business	722
The Hindu Marriages Dissolution Bill— <i>contd.</i>	722—742

Monday, 15th February, 1932—

Questions and Answers	743—755
Petitions relating to the Hindu Marriages Dissolution Bill . . .	755—756
The Indian Income-tax (Second Amendment) Bill—Motion to refer to Select Committee negatived	757—780
The Wire and Wire Nail Industry (Protection) Bill—Presentation of the Report of the Select Committee	781
The Bamboo Paper Industry (Protection) Bill—Time for Presenta- tion of the Report of the Select Committee extended	781
The Sugar Industry (Protection) Bill—Time for Presentation of the Report of Select Committee extended	781
The Indian Partnership Bill—Discussion adjourned	781—806

Tuesday, 16th February, 1932—

Questions and Answers	807—822
Unstarred Questions and Answers	823—828
Resolution <i>re</i> Stabilisation of Exchange and Prices—Withdrawn .	828—843
Resolution <i>re</i> Appointment of a Committee to hear grievances of Retrenched Officers—Negatived	843—850
The Bamboo Paper Industry (Protection) Bill—Presentation of the Report of the Select Committee	851
Resolution <i>re</i> Appointment of a Committee on Education—Negatived	851—874

Wednesday, 17th February, 1932—

Questions and Answers	875—883
The Indian Partnership Bill—Passed, as amended	883—925
The Workmen's Compensation (Amendment) Bill—Introduced .	925
Demands for Excess Grants for 1929-30	926—932
Demands for Supplementary Grants	932—936

THE

LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT OF THE THIRD SESSION OF THE FOURTH
LEGISLATIVE ASSEMBLY.)

VOLUME I—1932.

LEGISLATIVE ASSEMBLY.

Monday, 25th January, 1932.

ADDRESS BY HIS EXCELLENCY THE VICEROY TO THE
MEMBERS OF THE LEGISLATIVE ASSEMBLY.

His Excellency the Viceroy: Gentlemen, before making any reference to the numerous matters on which I propose to address you this morning I wish to pay a tribute to the memory of the late Sir Muhammad Shafi, by whose death, when acting as a Member of my Executive Council, India has been deprived of one of her most valued and trusted servants. His great ability and his forceful character, combined with his kindness and sympathy of heart endeared him to all those who were privileged to know him. By his death I feel that I have lost a personal friend who was always to me a wise Counsellor and adviser and one who in very truth gave his life for the service of his country.

To Lady Shafi and her family we all, I am sure, extend our deep and heartfelt sympathy in their bereavement. May she find comfort and consolation in her great distress.

Let me now welcome the Members of the Legislative Assembly to the labours of another session. The usual practice is, I understand, for the Viceroy to address the Indian Legislature as a whole, but on this occasion, the state of business does not warrant the summoning of the Council of State before the end of February; and in view of the many important issues now facing the country I decided that I would not wait until then, but would address the Honourable Members of the Assembly on the opening day of their session.

I am glad to be able to inform you that of our relations with neighbouring countries on our borders I have nothing to say except happily that all is well. It has been a matter of particular gratification to me and to my Government that we have lately had the privilege of welcoming as our guest in Calcutta His Highness the Prime Minister of Nepal. Today however I would ask you as the Representatives of India for a moment to extend your vision to a wider horizon than is usually brought under observation on these occasions and to join with me in an expression of the earnest

[H. E. the Viceroy.]

hope which we all feel and which every thinking man must feel for the success of the Disarmament Conference now about to assemble at Geneva. This Conference, the culmination of the first organised attempt yet made to find some means of settling international differences other than by the arbitrament of force, represents the outcome of five years' preliminary labours, in which both in deed and in word His Majesty's Government in the United Kingdom with the full support of the Government of India and those other members of the British Commonwealth of Nations who are also in their own right members of the League of Nations have played a very prominent part. It will, I trust, in years to come be a source of pride for the Government of India and all the other Governments concerned to reflect how in these years of depression, when all around seemed so dark, they were taking their part in the forging of machinery which however crude and imperfect is designed to free mankind from the greatest of all scourges by which humanity is afflicted, the scourge of war.

In addressing the Indian Legislature last September at Simla, I referred to the Conference which was being convened between the representatives of the Government of India and of the Government of the Union of South Africa to discuss matters arising out of the working of the Cape Town Agreement of 1927 and the position of Indians in regard to the tenure and ownership of immovable property in the Transvaal. It is a matter of great satisfaction to my Government that the Delegation which they have appointed has been accepted by Indian opinion as fully representative. Sir Fazl-i-Husain and Mr. G. S. Bajpai sailed from Bombay on the 16th December 1931, while the other delegates, Sir Geoffrey Corbett, the Right Honourable V. S. Srinivasa Sastri, Mrs. Naidu and Sir Darcy Lindsay reached South Africa direct from England. For the warm and cordial welcome extended to them by the Union Government my Government are deeply grateful. The Conference was opened at Cape Town on the 12th January by the Prime Minister of the Union in a spirit of friendliness and good-will which augurs well for the success of the deliberations on which it is still engaged. Issues of great moment are involved and it is, I am sure, the hope of every right-thinking citizen of India and South Africa that the joint efforts of the representatives of the two countries should succeed in finding a satisfactory and honourable solution of the questions at issue. I was distressed to learn of the illness which prevented Sir Fazl-i-Husain from attending the opening meetings of the Conference. I am glad to say that I have reassuring news of his health and I have no doubt that you will join with me in wishing him a speedy and complete recovery.

Coming to a matter which is of direct and immediate concern to the people of India—the agricultural situation—I would recall to Honourable Members what I said in my speech last September. I then said that what was wanted to bring about a general improvement in the situation was a rise in prices which would come with the revival in general economic conditions throughout the world. The prices of agricultural produce have begun to show an upward tendency, but they are still much below those to which the producer has become accustomed for several years past. An improvement in prices is indeed most welcome, but the restriction of the credit and resources of the agricultural community, which have suffered so serious a strain during the prolonged period of depression, can only be

gradual. The situation, therefore, still needs to be watched carefully, and I am glad to be in a position to assure you that all Local Governments are fully alive to the necessity of dealing with it in a spirit of sympathy. I need only mention two outstanding examples. In the United Provinces, recent remissions of land revenue have amounted to Rs. 109 lakhs and relief has been given to the tenantry by a reduction in rent amounting in all to well over Rs. 4 crores. In the Punjab, after a careful examination of the conditions in each assessment circle, remissions of land revenue and water rates have been sanctioned on a liberal scale, the total cost of relief during the last kharif season being Rs. 46 lakhs. I take this opportunity of expressing my appreciation of the prompt measures which have been taken by the Local Governments in dealing with this matter which is of vital importance to the peace and contentment of the agricultural community which forms so large a proportion of the population of India.

And in this regard I would inform Honourable Members that the Imperial Council of Agricultural Research, inaugurated as recently as 1929 by Lord Irwin, has succeeded in enlisting provincial co-operation in its activities to a remarkable degree. Thanks to the action of the Government of India in endowing it from its commencement with a substantial lump sum grant as well as a considerable recurring annual grant the Council has been able, even during this period of financial stringency, to keep all its research activities in being. It has made generous grants to Provinces and the Indian Universities for the conduct of agricultural research. During the year which has just closed the Council sanctioned a sum of Rs. 9,19,129 spread over a period of five years for a co-ordinated scheme of rice research embracing all the important rice-growing Provinces in India (including Burma). It is noteworthy that towards this wide flung scheme of research the Empire Marketing Board, which has been of the greatest assistance to the Council since its inception, has given an additional grant of Rs. 2,03,279. In the same period the Council has sanctioned the establishment of a Sugarcane Research Station in the Bombay-Decan at a cost of Rs. 5,22,000 spread over a period of five years out of which the share of the Council comes to about three lakhs of rupees. These two instances by no means exhaust the tale of the Council's grants which have already given a greatly-needed impetus to indigenous research in agriculture all over India.

Gentlemen, when I last addressed you I referred to the financial situation, to the difficulties which had come upon India as the result of an economic crisis in the world for which there had been no parallel in history, and to the need for courageous action on our part to maintain the financial stability and credit of India. Since that day in September many momentous events have happened. I do not intend to enter now upon an elaborate survey of the present financial position, for that will be most appropriately undertaken in connection with the Budget discussions which will, as usual, form an important part of the business of this session. But it is well that I should deal shortly with the main points in the present situation.

Let me say at the outset that when I take a broad survey of our position as it is today and compare it with the conditions in which we were placed early in September, I am filled with a feeling of deep thankfulness at the manner in which we have been enabled to overcome some of the difficulties which then confronted us, and at the great improvement which has taken place in our general position. Difficulties

[H. E. the Viceroy.]

we still have, and I do not desire to minimise them, but we have surmounted many with a measure of success beyond anything for which we could have then dared to hope, and we can face the difficulties which remain with a new confidence.

The present situation may be considered in two parts. First, the budgetary prospects, and, secondly, the general financial position which is concerned with matters such as the credit of India, the floating debt, and the currency position.

As regards the budgetary position, in accordance with the indication which I gave when addressing you in September, the Government came forward with proposals for restoring equilibrium which were eventually dealt with in the special session in November. These proposals covered both Retrenchment and new taxation. As regards the former I should like again to express my feelings of appreciation to the members of the various Retrenchment Committees for the assistance which they have given to my Government. Their proposals are now being embodied in the budgetary demands for next year, and I have every reason to believe that a very full measure of support will be given to them. At the present time of constitutional transition, when we are working towards a new state of affairs in which a much fuller degree of responsibility will rest upon the representatives of the Legislature for the government of the country, I think it appropriate to comment on the way in which even before these changes, I and my present Government have endeavoured to give those representatives a voice in this important matter. It is fair to say that there can hardly be any case in the world where the executive Government has put itself more fully in the hands of the Legislature in considering practical measures such as are involved in Retrenchment or has given fuller effect to the recommendations of the popular representatives.

As regards the new taxation proposals, it must be admitted that the revenue returns for the first two months October and November were disappointing. But the customs returns for December showed an improvement—producing as they did 89 lakhs more than the revenue for the corresponding month last year. It is too early yet for us to have formed any final opinion as to the course of affairs in the next financial year. It will be necessary as a matter of prudence, and in view of the results to date, to make some modification in the estimates from the provisional figures which were given in September. But these modifications are not of sufficient magnitude to affect our general plan, and we should not feel justified in asking you at this stage to approve any substantial change in that plan, or to vote any further taxation. We consider in fact that we are still justified in anticipating a surplus for the next financial year. In these circumstances you will not be asked to consider a new Finance Bill in this session.

It must of course be recognised that we are still in the midst of a world economic crisis for which, as I have already said, there is no parallel in history. Our fate is dependent largely upon what happens in the rest of the world, and particularly on whether the great European nations and America can arrive at some basis for dealing with the problem of Reparations and War Debts which will restore confidence in their economic future. If from any failure to accomplish this, or for other reasons, there should be a serious deterioration in the world position,

it may be that this will react on us and that we shall have to take measures to protect ourselves. But that is a contingency which we hope will not arise and with which, at any rate, we are not yet faced. Apart from this a possible factor of disturbance in our estimates might be created if internal political trouble were allowed seriously to interfere with the country's normal economic life. That indeed would be a tragic development and my Government, together with the Provincial Governments, are determined to prevent its accomplishment and to give their protection to all who are engaged in business throughout the country. While I and my Government view with the greatest regret the signs which are before us that certain interests in this country are willing to risk bringing great economic distress upon India in their attempts to embarrass the established Government, we cannot admit into our calculations the possibility that they will succeed in achieving this end.

Having dealt with these two factors I can say with confidence that our economic situation in India is sound and healthy and compares most favourably with that of any other country in the world. Indian products are still finding a free market abroad and we are not, like other countries, burdened with huge stocks of unsaleable goods. Indian industry is still at work and in India's chief field of manufacture—the cotton mills—we have an example of a great staple industry, still expanding, still fully employed, and working at a fair margin of profit, at a time when all the great industries of the world are stagnating, restricting output, working half or quarter time, and mostly incurring losses. If I look elsewhere I find other reasons for encouragement as regards the future. I see, for example, signs of the development of something new for India in the sugar industry in which I am informed that a large number of new factories are now under order or in course of erection. If any of you, gentlemen, had leisure to tour the world today, I venture to assert that in no other country would you find such hopeful conditions or such grounds for encouragement. To some extent we may claim that these results have been influenced by the measures included in the last two Finance Bills.

These are grounds for hope and optimism which exist in India at a time when the rest of the world is suffering under the deepest distress and depression. Are these hopes and possibilities to be wrecked by internal political troubles brought upon us gratuitously by a certain section of the public? That is a question which I would ask all of you to put to yourselves and which I must deal with more fully in other portions of my speech.

When I turn from the budgetary position to what I have described as the general financial position, I find even greater signs for encouragement. The outstanding event in this field since I last addressed you has of course been the unlinking of sterling from gold. That action by the British Government confronted us in India with a difficult question, the answer to which was fully debated in the last Simla session. Looking back on the months which have passed, I think we may claim indisputably that the decision which we then took to keep the rupee linked with sterling has worked to the benefit of India. A catastrophic change was accomplished without dislocating the machinery of business. All transactions have continued smoothly and many of our special problems have been enormously eased. The very success of this policy, the very ease with which the change has passed may perhaps tend to prevent a proper

[H. E. the Viceroy.]

appreciation of the dangers which have been avoided. It is too early yet to make forecasts as to the distant future and our action will largely depend on world developments, but for the present we may fairly congratulate ourselves that we have taken the right path.

Let me put before you briefly some of the encouraging results which have been achieved.

In the first place the Ways and Means position of the Government has been considerably eased and the floating debt has been reduced from Rs. 84 crores to Rs. 61 crores. Then again we have been able to acquire very substantial sterling funds through the market, and to pay off the whole of the £15 million sterling loan which matured in London on January 15th without borrowing in London and without drawing on our reserves. This is a tremendous achievement.

On top of this it has been possible to ease the local situation by a reduction in the bank rate to a more normal figure.

Rupee exchange has been and continues to be strong, and it has been possible to work the very moderate measure to control exchange operations, which we imposed, without any embarrassment to the business community.

Combined with all these events there has been a marked improvement in India's credit, and in the price of her securities, especially in London. For example, the $3\frac{1}{2}$ per cent. sterling securities which in September touched $43\frac{1}{2}$ now stand at $55\frac{1}{2}$, and there have been similar improvements all round.

In the general world of commerce there has been a considerable easing of the situation and a considerable improvement in the rupee prices of India's main commodities, especially cotton.

Now, gentlemen, I am very surprised to find that in the midst of all these encouraging signs, when in fact the vast masses of India whose livelihood depends on the economic position can feel a new hope and raise their heads from depression to the first signs of light on the horizon, it has been thought fit by a certain group and particularly a certain section of the Press to propagate accounts of the financial condition of India designed to cause alarm and despondency. It is said that the financial position is precarious, that we are drifting towards ruin, and those who say these things are, for reasons of their own, clearly aiming at producing such results. In particular these gentlemen urge that the export of gold is ruinous to India, and that the Government's currency policy which has recently involved considerable expansion is creating a dangerous inflation which threatens our future stability. Let me deal briefly with these two points.

As regards the exports of gold, what are really the facts? Those who sell gold do so because they can make a profit on their holdings. They have made an investment which has turned out well. Why should they be deprived of the opportunity to take advantage of it? There is no public ground on which this could be justified, for the export of gold at this stage is definitely and decisively to India's advantage. Most countries which, like India, rely on primary agricultural products for maintaining their balance of international trade and payments, are just now labouring under acute difficulties, which force them to adopt extremely stringent

measures for the control of exchange which greatly hamper the commerce of the country. At such a time India is able to tap a portion of her own vast resources, and by parting with a very small fraction of her immeasurable stores of gold to realise a favourable balance of international payments. The good results of this are already apparent—a strengthening of our exchange—an easing of our bank rate—and the accumulation of sterling resources which have already, as I have just pointed out, enabled us to pay off £15 millions sterling without borrowing, and thus relieve the country of a capital charge of Rs. 20 crores and a recurrent charge of 110 lakhs per annum. These are only a few of the public advantages, and they are, as I have said, combined with private profit. Why should the country not be left free to reap this advantage? A time has indeed come when India's huge investments in gold—which have for many years been barren and unproductive—are proving profitable to the private holders and to the State alike. Those who would press a contrary view profess to argue that India is weakening her position by this process. But if the holding of gold in a country is to be regarded as an investment and a source of strength, of what value is it, if it is never to be drawn upon? What is the use of a reserve against bad times, if when the bad times come it is not to be used? Moreover the amounts exported are negligible in relation to India's total holding of gold. What that total holding may be no one knows; but I may remind you, gentlemen, that India's net imports of gold during the last 30 years alone amount to no less than 550 crores worth as valued at the time of import, or well over 700 crores if revalued at present prices. Against this, exports since September have amounted in value to no more than 40 crores at present prices. It will be seen that this volume is of no appreciable importance compared with what has been imported in recent years alone, and without taking account of the vast stores which must have been accumulated before 1900.

I would further remind you that the export of gold is no new feature in India's commercial life. Large quantities have always moved in and out, and on special occasions India has tended to realise gold as a means of adjusting the balance of payments, or in order to take advantage of profitable opportunities of selling gold against rupees. In three recent years, 1915, 1918 and 1921, the exports of gold exceeded the imports. In fact it is clear on an impartial view that there is not only no cause for anxiety in what is now happening, but that it is conferring a great benefit on both public and private interests, and proving that there are at least some occasions in an economic cycle when India's ancient tradition of investment in gold can prove to be of direct economic advantage to the country.

Then I would turn to the other circumstance which has been referred to in certain quarters as justifying pessimism about our position—the recent expansion of our currency. It is a little curious that the same gentlemen who a few months ago were abusing the Government for the so-called ruinous policy of contraction, should now turn round upon us with almost equal violence when it becomes necessary once again to expand the currency, and possibly thereby greatly to improve the position of the Government as currency authority without endangering the general position.

What are the facts in this case? Since September currency has been expanded by about 43 crores, but in the earlier months of the financial

[H. E. the Viceroy.]

year the contraction had been 27 crores, so that during the current financial year there has been a net expansion of just over 16 crores. This may be balanced against a net contraction during the previous year (1930-31) of nearly 39 crores. The expansion since September has been the necessary sequel of the greater demand of the public for currency—partly to meet trade requirements which are greater owing to the rise in rupee prices, to which I have already referred, partly to cope with more active trade, and partly because some of those who have sold gold are now holding currency in its place. The whole process has been perfectly normal and healthy, and of course as you all realise it brings great advantage to the Government by enabling it to reduce its debt to the public—treasury bills in India and the sterling loan in England—and to increase its earnings as currency authority.

Gentlemen, I am satisfied that the position is not only sound and healthy but that we are now justified in cherishing and spreading abroad a new spirit of hope for India of economic recovery.

Let me now turn to the present political situation. We are meeting today at a time which is perhaps in many ways the most anxious and critical that this country has ever passed through, a time which is full of possibilities for the future peaceful advance and prosperity of India, a time when I am confident I can rely on the fair and sober judgment of every Honourable Member in any discussions which may be raised on the present political situation during the coming session and in order to give Honourable Members a perfectly clear idea of the position as we see it, I propose in the first place, to state as shortly and frankly as I can, the reasons which have led me and my Government to take the drastic action which we have felt bound to undertake against unlawful activities of the Congress Party within the last few weeks, and further to tell Honourable Members what is the definite policy of the Government of India for the future. Honourable Members are aware that I took over the duties of Viceroy of India in April last shortly after my predecessor Lord Irwin had completed the discussions with Mr. Gandhi which resulted in what is known as the Delhi Settlement, and under the terms of which Mr. Gandhi agreed to call off his civil disobedience campaign.

It became my duty and that of my Government to make every effort to implement the terms of the Settlement, and I can truly say that, during these past months, all officers of Government have endeavoured, in spite of great difficulties, to carry out in spirit and in letter the obligations involved in the Settlement. On the other hand, it was soon clear to myself and to my Colleagues that the attitude assumed by Congress throughout the country was to regard the Settlement not as a settlement at all, but as a means for consolidating their position and for making preparations for a further attack on constitutional authority. Nonetheless, I and my Government deliberately forebore from taking the action which in other circumstances these preparations would clearly have demanded. So long as there was any hope of achieving the conditions, which the Delhi Settlement was intended to secure, we continued to incur risks which could be justified by no other consideration. We spared no effort in our attempts to persuade the responsible leaders of Congress to abandon activities which we were convinced could lead only to disaster. In the United Provinces the Local Government were actually engaged in discussion with representatives of Congress when the latter declared a no-rent campaign—the consequences of which, had their action remained unchallenged, would have

been the creation of a state of class warfare throughout the Province. In the North West Frontier Province persistent attempts were made to obtain the co-operation of the Congress Party, represented by Khan Abdul Ghaffar Khan and his followers, in giving practical effect to the desire of the people as a whole to enjoy the same status as other Provinces. Our efforts were ignored or rejected. Week after week I received reports of grave deterioration in the position, and of the growth of a movement, frankly revolutionary, conducted in the name and with the full support of Congress, which, if it were allowed to continue to its avowed purpose, must have imperilled the peace of the Frontier and of India. And still we held our hand. To the last we strove to maintain the peace. The Chief Commissioner, with the greatest loyalty to the policy of Government, refrained from asking for powers and measures until he had reluctantly to report that the margin of safety had been passed, and that he could delay no longer consistently with the discharge of his duties. There has been no lack of goodwill on my part or on that of my Government. I have appealed for co-operation personally from the leader of the Congress Party and many of his followers. I begged them to join in a common effort to secure, as rapidly as possible, responsibility for Indians to administer their affairs. I am conscious of no deviation by myself or by my Government from the path of conciliation until Congress had themselves wantonly torn up the path. Their action in the United Provinces and on the Frontier, continued despite repeated advice and warnings, compelled my Government to take measures which ran counter to our wishes and were contrary to the policy we had consistently endeavoured to pursue. Once those measures were taken, it is clear that they could not be suspended or withdrawn unless the activities that had made them necessary were definitely abandoned. The reply of Congress was a declaration of their purpose to extend their activities throughout the length and breadth of India, and by a revival of civil disobedience to cripple the administration. No Government worth the name could hesitate to accept the challenge. Failure to do so would indeed make all Government in this country impossible. There must be no room for misunderstanding either on the part of the public or of those who choose to disobey the law. There can be no compromise in this matter. I and my Government are determined to use to the full the resources of the State in fighting and defeating a movement, which would otherwise remain a perpetual menace to orderly government and individual liberty. While Government will take all the requisite steps to guard against any abuse of the special powers it has been necessary to take, there can be no relaxation of the measures now in force against civil disobedience, so long as the circumstances exist which make them necessary. If we are to elect between the barren, destructive path which, if persisted in, can only lead to ruin and the breaking up of laws and the better way of advancing by means of free and friendly discussion to constructive ends, surely no reasonable man, no man who has the true interests of his country at heart can hesitate in his choice, and I look with confidence to you, gentlemen, sitting in this Assembly which is a witness in itself of what has already been done and a promise of what may yet be achieved by the constitutional method, to support me and my Government in our vindication and maintenance of the conditions on which alone political progress can be securely and successfully pursued.

I turn now to the other side of the policy of Government and desire to take you into my confidence regarding the steps which are being taken to implement the programme of constitutional reform outlined in the Prime Minister's recent declaration.

[H. E. the Viceroy.]

In the course of his description of the policy of His Majesty's Government the Prime Minister announced the determination of the Cabinet to proceed with the detailed examination of constitutional problems still unsolved and to pursue without interruption the method of co-operative consideration. To this end the Prime Minister announced the intention of His Majesty's Government to set up a number of Committees charged with the duty of enquiring into specific problems, and also a more general Committee, in effect a working Committee of the Round Table Conference, which would remain in being in India and with which His Majesty's Government would keep effective and continuous touch. The Prime Minister's intention was that this general Committee should be the means by which contact will be maintained by His Majesty's Government with the large representative political body typified by the Round Table Conference.

The Prime Minister also made reference in his announcement to certain particular tasks other than those assigned to these Committees. I desire to describe briefly the action which we are taking to carry out the plans of His Majesty's Government in these three directions.

The specific Committees are the Franchise Committee, of which the Marquess of Lothian is Chairman, the Federal Finance Committee which will be presided over by the Right Honourable Lord Eustace Percy and the Indian States Enquiry Committee presided over by the Right Honourable J. C. C. Davidson. *The personnel* of these Committees and their terms of reference which are contained in letters addressed by the Prime Minister to their respective Chairmen have been published. The British members of these specific Committees are at present on their way to India and are expected to land at Bombay at the close of this week. The Secretariats have already been assembled and are at work, so that the Committees ought to be able to make an effective start with their enquiries immediately on their arrival. Provincial Governments are collecting materials for their discussions with the Franchise Committee which will visit almost all Provincial headquarters. Provincial Franchise Committees have been constituted to work in close association with the main Committee.

I am deeply interested in the work of all these Committees, but I have a particular concern with the general Committee known as the Consultative Committee over which I shall myself preside as the deputy of the Prime Minister.

My attention has been directed to statements made in the public press which indicate the existence of an impression that the Consultative Committee will be a merely ornamental body or at most will set to work only when it receives the reports of the specific Committees. If that impression is at all general or has gained ground in the Indian Legislature, I desire to explain the true position. As I have said the Consultative Committee will be the machinery by which on the outstanding constitutional problems His Majesty's Government will remain in contact with the discussions which will continue in India. The detailed consideration of issues vital to the new constitution of India will not be discontinued in England merely because the second session of the Round Table Conference has come to an end. It is an integral portion of the plans of His Majesty's Government that a similar detailed examination should proceed contemporaneously and on parallel lines in India, and that our explorations here should be co-ordinated with work being done in London through the contact

which I shall maintain with the Prime Minister whose deputy in this matter I shall be. Accordingly it will be the function of the Consultative Committee to co-operate with His Majesty's Government in filling in the gaps in the constitution so far sketched by the Round Table Conference, whether these gaps are due to differences of opinion in the Conference or to limitations imposed by lack of time upon its investigations.

The scope of work open to the Committee is so wide and so important that no time should be lost in setting to work. I have therefore decided to assemble the Committee during the present week, and I trust that at our preliminary deliberations we may be able to inaugurate an active and strenuous programme according to which in consultation with His Majesty's Government the details of the constitution may be fully and rapidly explored. It is my intention so far as my other duties may permit to engage personally in the work of the Committee.

In that new constitution the North West Frontier Province will find a place as a Governor's Province of the same status as other Governors' Provinces with due regard to the necessary requirements of the frontier. But in the meantime my Government and the Chief Commissioner have been earnestly engaged in preparing a constitution which will forthwith place the Frontier Province on the basis of a Governor's Province under the present Act. We have been assisted by the advice which I am glad to be able to describe as enthusiastic and harmonious of a local non-official Committee. It is no light task to frame a constitution for an area in which so far representative institutions have not proceeded beyond the field of local self-government while even in that field the practice of popular election is only in its infancy. My Government have however been able to submit to the Secretary of State detailed proposals on matters so fundamental as the franchise, constituencies and the constitution of the Legislature. I have good hopes that if these proposals commend themselves to the Secretary of State in Council, we may at no distant date have a local Legislature in session at Peshawar.

But something more is necessary. The new Government and the Legislature itself must be invested with powers and suitable financial provision must be made. For these purposes the necessary Devolution Rules have been drafted and are now under technical examination. I anticipate that this portion of our task will not lag behind our proposals for the representative system, so that when the local Legislature is constituted and ready to assume its duties we shall have placed it and the local Executive in possession of appropriate authority analogous to their counterparts elsewhere.

There is here a particular matter to which I desire to refer. The North West Frontier Province Subjects Committee has, as you are aware, advised us that the Province invested with its own authority will be unable to subsist on its indigenous resources. The course suggested is the grant of a central subvention. The need for such a subvention and its probable amount are under enquiry by my Government. It is our intention to consult the Indian Legislature when the details have been worked out.

The only other matter raised in the announcement made by the Prime Minister to which I desire to refer is the separation of Sind. The task which has been laid upon us is to confer with the representatives of Sind for the purpose of trying to overcome the financial difficulties in the way of separation. My Government, after consultation with the Government of Bombay, have had under examination the nature and scope of such a

[H. E. the Viceroy.]

Conference and have submitted (or are in process of submitting) their conclusions to the Secretary of State for his approval. We trust to be able to initiate the Conference at an early date.

Notwithstanding the many difficulties which we have had to surmount during the past few months, and the serious problems that still lie before us, with the recollection of all I owe to this country in my public service of years gone by, I feel it a great pride and privilege towards the end of my public life to be leading India on to her promised position as an absolutely equal partner with the other Dominions under the Crown. Our difficulties must and shall be surmounted and my Government are determined to allow no subversive or revolutionary activities to prevent us from achieving this great purpose for which many of us have worked for long years. I have asked for co-operation from all in the past. Today I ask for the cordial co-operation of all those who have the true interests of their great country at heart to help us to solve the many problems that lie before us, to exercise the spirit of equity and fairness, and to bring about that confidence, goodwill and trust between our two races who have worked together for so many years to secure the well-being and prosperity of India in the past and will long continue to do so in the future.

I leave you to your labours and trust that a Great Providence may guide you in the important duties you have to undertake. (Applause.)

The Assembly met in the Assembly Chamber of the Council House in New Delhi at Twelve of the Clock being the first day of the Third Session of the Fourth Legislative Assembly, pursuant to S. 63D(2) of the Government of India Act. The President (the Honourable Sir Ibrahim Rahimtoola) was in the Chair.

MEMBERS SWORN :

Captain Sher Muhammad Khan Gakhar, M.B.E., M.L.A. (Nominated Non-Official);

Nawab Sir Sahibzada Abdul Qaiyum, K.C.I.E., M.L.A. (Nominated Non-Official);

Mr. Thomas Ryan, C.I.E., M.L.A. (Director General of Posts and Telegraphs);

Mr. Andrew Gourlay Clow, C.I.E., M.L.A. (Government of India: Nominated Official);

Mr. Clement Wansbrough Gwynne, C.I.E., O.B.E., M.L.A. (Government of India: Nominated Official);

Mr. John Santos, M.L.A. (Government of India: Nominated Official);

Mr. Percy Macqueen, M.L.A. (Madras: Nominated Official);

Mr. Frederick William Allison, M.L.A. (Bombay: Nominated Official);

Mr. Arthur Sydney Vernon Acott, M.L.A. (Bombay: Nominated Official); and

Mr. Charles Kenningale Seaman, M.L.A. (Central Provinces: Nominated Official).

DEATH OF THE HONOURABLE MIAN SIR MUHAMMAD SHAFI.

The Honourable Sir George Rainy (Leader of the House): Before the business of the session commences, Mr. President, it is I am sure the wish of every Member that something should be said of the loss which India has sustained since our last meeting. The late Sir Muhammad Shafi filled a large place in the public life of the country, for he had many gifts. Eminent as a lawyer, distinguished as an administrator, and in the first rank as a statesman and politician, whether in office or not, he exerted a great and growing influence in his own province, amongst his own community, and throughout India as a whole.

For nearly ten years from 1915 to 1925 his connection with the Central Legislature was unbroken, first as a Member of the old Imperial Legislative Council and then of the Council of State, and though he was never a Member of this House, he spoke frequently in the first two Assemblies in his capacity as the Law Member of the Government of India. His appointment to the Executive Council preceded by about 18 months the inauguration of the reforms, and it fell to him during these critical years before and after the establishment of the new constitution, to contribute largely to the shaping of India's destinies. I was not his colleague in the Government of India, but I know many of those who were, and he earned the respect, admiration and affection of every one of them.

[Sir George Rainy.]

His vacation of office in 1925 in no way lowered the position he held in the public esteem, and he continued to be what he had become, one of India's most prominent leaders, and one to whom men turned for sagacious counsel and advice when the political outlook was dark and threatening. Whether in office or not, he remained a great public servant. During the last two years of his life, as a representative of India at the Conference in London, he stood out as a leader of opinion and a leader of men. His services were devoted wholeheartedly to the cause of his country. He went to the Conference with no private ends to serve, and while he set before him as one of his objectives to secure justice for his own community, he did not narrowly conceive these interests as something separate and apart from the interests of India, but as an integral part of them. He laboured wholeheartedly to bring about agreement on the great issue on which opinion was divided, and though complete success has not yet been achieved, we need not fear that his labours were in vain. When the day comes, as come it will, when the great communities of India find and recognise their place in the public life of the country, ready to work together for common ends, it will be the labours of men like Sir Muhammad Shafi which will have brought this about.

He remained a public servant to the end for he died in harness. While he was on his way back from the Conference he received an invitation to rejoin the Governor General's Council in a temporary vacancy and he at once agreed to serve. We had expected to see him amongst us to-day, but his place is empty and we mourn his loss. To those of us who had looked forward to sitting with him as colleagues in the Executive Council, his sudden and unexpected death came as a great shock and brought with it a keen sense of bereavement. And all of us must feel—for I suppose he was personally known to nearly every Member of this House—that not only is the public life of India impoverished by his loss, but also that we have lost a personal friend whose kindness and sincerity will long linger in our minds.

It will I believe be the desire of every Member of this House, Mr. President, if on our behalf you would convey to Lady Shafi and other relatives of the deceased something of the loss and regret which we feel. I believe also, Mr. President, you would be rightly interpreting the wishes of the House if after we have attempted to give expression to our feelings you were to adjourn the House.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, it is with a heavy heart that I rise to-day to pay my tribute to the memory of my very old friend, Mian Sir Muhammad Shafi. Sir, he and I were fellow students together. He and I were called to the Bar in the same year and we joined our profession simultaneously. Sir, ever since the day we joined the Bar, down to the very day of his death, Sir Muhammad Shafi and myself looked upon each other as brothers. You can then realise my feelings when I read in the press that my old friend and brother had passed away. Mian Sir Muhammad Shafi practised in the Punjab, and was a Member of the Executive Council of His Excellency the Viceroy. He was a politician, he was a leader of his community, but above all he was a gentleman of rare polish, unfailing courtesy and integrity and ineffable charm of manners which made friends wherever he went; he knew no enemies. Such was Shafi who has passed away, and it would be the wish

of us all that the least we can do to commemorate his memory is to ask you Sir, to convey to Lady Shafi and the members of his family the poignant grief which we suffer on account of his untimely death. Those who have known him in private and those who have heard him in public will equally testify to his heart's desire to see the future constitution of this country placed upon a sure and abiding basis. As a leader of his community, he was naturally anxious to promote the interest of that community, but Sir Muhammad Shafi was in no sense a communalist. He was a nationalist first and a communalist, if at all, next. His primary and sole desire was to see freedom and liberty launched in his motherland. We grieve that he was called away before the fulfilment of his heart's desire to see self-government established in this country. Sir, the will of God be done. We on these benches join with the Leader of the House in requesting you to convey to the bereaved members of his family our keen appreciation of the loss from which we and the whole country suffer, and as a mark of respect to the memory of the illustrious dead, I join with the Leader of the House in requesting you to adjourn the House for the day.

Diwan Bahadur A. Ramaswami Mudaliar (Madras City: Non-Muhammadan Urban): Mr. President, in the absence of the leader of my party, Sir Abdur Rahim, it behoves me to associate myself and my party with the motion that has been made by the Leader of the House. The late Sir Muhammad Shafi was well known to many of us, and particularly during the last two years to those of us who had opportunities of serving on the Round Table Conference. His characteristics as a gentleman, as a patriot and as a leader of public opinion have been described by the Leader of the House and I do not think I need add to it. He was one of those who found it consistent with his patriotism to combine the advocacy of the just and legitimate rights of his community with the advocacy of all that was best for his country. There was no narrow view point of his. There was no purpose merely to aggrandize for any particular section what was meant for his country. Sir Muhammad Shafi was the dominating figure at the Round Table Conference, and in every one of his speeches and in the guidance that he gave to the deliberations of the Federal Structure Committee he made his personality felt. At present critical juncture, when the Government requires candid friends, not merely those who are out to criticise every single action of the Government, not even those who are ready to acclaim every single act of the Government either, at a time like this the loss of Sir Muhammad Shafi must be felt as keenly by the Government as by the public at large. It was the hope of some of us who had partaken in the deliberations of the Round Table Conference and who had been depressed by the lack of unanimity over one of the main issues at that Conference that the return of Sir Muhammad Shafi to his province would enable that great issue to be settled, so that the work of the Conference might proceed apace and with greater rapidity than ever. We had hoped that as a public leader his influence would be felt not merely by the members of his community but also by members of all other communities, and that his great persuasive charm, his sweet reasonableness and that ineffable something which disarmed all opposition where he was concerned would add considerably to the achievement of that solution to which all of us looked forward. It is a tragedy to Indian politics that at this critical juncture a man of that capacity, of that supreme charm which disarmed all opposition should have been lost to us. I remember, well, Sir, the last occasion on which he made his public speech at the Federal Structure-

{Diwan Bahadur A. Ramaswami Mudaliar.}

Committee. It was on Thursday, the 24th September, and the circumstances under which he made that speech and the matter of that speech alike showed to the public what sort of man Sir Muhammad Shafi was. He was to take the Postal Express from Victoria Station at 1-30 that day and the critical debate was going on in the Federal Structure Committee whether mere provincial autonomy could be had as a basis for further constitutional progress, with all assurances contained in preambles and such like places that the full growth of a federation would be forthcoming. Sir Muhammad Shafi, without thinking of his personal inconvenience, came to that Committee and stated in clear and unmistakable terms that no constitution would be acceptable either to him or to his community or to the rest of India which did not visualise simultaneity of responsibility both at the centre and in the provinces. That was the last great public speech, that was the last great contribution that he made to the settlement of a grave constitutional issue. The loss of such a gentleman at this critical juncture is something incalculable.

Some of us, Mr. President, have had the privilege of having some insight into that charming domestic circle with which the late Sir Muhammad Shafi has been associated. The devotion of his devoted wife and the manner in which she was able to look after her consort was an example to young and old alike who had been greatly impressed. To that lady who must feel most acutely the loss that has overtaken her, to the brilliant daughter, who was the pride of her father and who in turn was one of the most affectionate of daughters, and to other sons and members of the family we should like to convey our most respectful sympathy and our feelings of sorrow at the loss that we feel as much as they do in the premature death of Sir Muhammad Shafi. Sir, I wish to associate my party with the motion that has been made by Sir George Rainy.

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural): I have known Sir Muhammad Shafi for a very long time but in 1921 I came into very close contact with him. During the first Assembly, for three years, I knew him intimately and I knew very well all the activities in which he supported the cause of India with great zeal and fervour. One of the great services which he rendered at that time was in clearing up the great misunderstanding which was at that time prevailing between the British Government and Indians on account of the Khilafat movement. I know how zealously Sir Muhammad Shafi fought in those days and how he tried to bring the two communities together by clearing away the misunderstandings which had been multiplying every day. That was the great service which was rendered by Sir Muhammad Shafi in those days, and since then I found that he never spared any pains in serving the country and its best interests. The loss of Sir Muhammad Shafi, Sir, at this juncture is not merely the loss to his family or to his community, but I call it a loss to the entire nation, and we all mourn it with the other members of his family just as if it was our own family loss. I support the motion which has been moved by the Honourable the Leader of the House and which has been so well supported by the leaders of the other parties.

Mr. Arthur Moore (Bengal: European): With your permission, Sir, I should like to be associated with this tribute. We here endorse to the full all that has been already said about Sir Muhammad Shafi's public achievement, his private charm and the country's loss. Moreover, Sir, as in every

quarter of the House so in this Group, there are and have been Members, past and present, amongst whom I count myself, to whom Sir Muhammad Shafi was a warm-hearted, personal friend.

Sir Abdullah Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Sir, in rising to support the motion of condolence moved by the Honourable the Leader of the House, I desire to pay my personal tribute of reverence, respect and homage to the memory of one whose sudden and untimely death, at this critical hour in her history when India can ill afford to lose such an illustrious son, India and Islam deeply mourn. Sir, we mourn the loss of one who, to mention only the last of his public activities, was, in the words of a previous speaker "a dominant figure" at the Round Table Conference. Sir, a strange fatality seems to pursue the Round Table Conference which claims its annual toll of victims from amongst its delegates. In the year 1930, Sir Muhammad Shafi had a miraculous escape from a motor car accident and we were greatly relieved when we learnt of his safety and were lulled into a sense of false security. But the dawn of 1930 saw the death of one of the stalwarts at the Round Table Conference, when Maulana Muhammad Ali was sacrificed at its altar, the birth of 1932 witnesses the death of yet another stalwart in the person of Sir Muhammad Shafi. Sir, I understand that it was on receipt of news of his mother's illness that he hurried back to India. He was a good son, a dutiful and devoted son who well remembered and illustrated in his person the beautiful saying of the Prophet, *al-Jannatu yhta agdūmi ummiuhāt*, "Heaven lies at the feet of mothers". On arrival in India, declining the attractions of Calcutta during Christmas, he rushed to Lahore to receive the blessings of his dying mother. Destiny disguised as Devotion to his mother drove him to his birth-place where Death claimed him and at his mother's feet the portals of Heaven opened to receive him. Inscrutable are the ways of Providence and our limited vision and human ken cannot penetrate the depths of divine wisdom and the dispensation of Heaven. One by one the stalwarts of Islam are passing away when its need is the sorest. Under the shadow of the calamity of Sir Muhammad Shafi's death Muslim India is prostrate with grief. But it must bow in silent submission and humble resignation to the divine decree and the will of Heaven. With the death of Mian Sir Muhammad Shafi vanishes one of the greatest personalities of Islam and one of the greatest sons of India. With his death this country has lost, as the Honourable the Leader of the House has just told us, one of the foremost leaders of men and opinion, of thought and action. Sir, barring possibly His Highness the Aga Khan, his was the most outstanding figure amongst the Muslim's leaders of modern India. Undoubtedly he was one of the greatest Indian statesmen who came to the forefront and occupied the highest place in the public life of India by dint of character and merit and his manifold activities. A brilliant advocate and a sound lawyer, a veteran statesman and a practical politician, an enthusiastic educationist and an ardent social reformer, a loyal friend and a chivalrous foe, he rose head and shoulders above his contemporaries and countrymen. A man endowed, as His Excellency the Viceroy remarked in his address this morning, with a rare kindness of heart and sympathy, a man of amiable disposition and gentle manners, he disarmed all opposition and discourtesy by his unfailing courtesy and ever radiant smile. He was most generous to his political opponents whom he constantly endeavoured to win over to his views by the influence of his charming personality and persuasive eloquence. He was a man of broad sympathies and wide charity, a generous host and

[Sir Abdullah Suhrawardy.]

the most hospitable of men. A strenuous fighter of the Muslim cause and a true Indian patriot, a great servant of his country and his community, a valuable counsellor to the Viceroy and a trusted adviser to his King, his passing away creates a void which will not be easy to fill for many years to come. His advocacy of female education was rewarded by the unique distinction of his having by his side as a representative of the womanhood of India his gifted and cultured daughter, the Begum Shah Nawaz; and he had also the supreme satisfaction of receiving in England the testimony of competent authorities to the poetical talents of his grand-daughter, Mumtaz Jahan Begum, the rising poetess of Islam, in Urdu and in English. He was a staunch fighter of the Moslem cause but he was no less a champion of Indian nationalism and the political advancement of India. His nationalism, however, was tempered by his regard and respect for law and order and the constitution characteristic of all great lawyers imbued with the high ideals of the British system of Law and Jurisprudence. In 1913 he presided over the Moslem League, and for the first time it was at his instance, if I am not mistaken, that a resolution was passed by the League to the effect that full responsible government was the ultimate goal of India. A distinguished Son of the Punjab, there was nothing narrow, parochial and provincial in his outlook. Bengal has cause to be specially grateful to him for his recognition of its talents. He often went out of his way, in connection with filling high appointments in his gift, in quest of qualified men whether belonging to his native province of the Punjab or any other province. His services to Islam are well known. He was one of the founders of the Moslem League. In 1917 on the eve of Mr. Montagu's eventful visit to India the Mussalmans of India, as usual, were disturbed and divided partly on account of the War, and partly for lack of proper leadership, and Sir Muhammad Shafi founded the All-India Moslem Association to give the correct lead and expression to sound Moslem opinion. On the eve of the Simon Commission, when Moslem opinion was once more scattered and divided and when as a result of party passion or personal vanity the League was split in twain, it was Sir Muhammad Shafi who once more attempted to rally round his great personality all sound Moslem public opinion. Before the Simon Commission he was the spokesman of Muslim India at Lahore and he sat firm like a rock before the Commission. Assisted by Sir Abdul Qadir and Sir Muhammad Iqbal and other representatives of Muslim India, he sat like a great Commander of an Army or the Captain of a Ship caught in a thunder storm and surrounded with shoals and shifting sands and he faced cool, calm, collected, unperturbed and with great equanimity the ordeal of the volley of questions hurled at him by the informed and the ill-informed, the members of the Simon Commission and the Indian Central Committee. Sir, the loss of such a man is an irreparable loss. It is not only the loss of his family or of his community but, in the words of a great Arab poet, "it is a loss which has shattered the foundations of the hopes and aspirations of a whole nation"

*Wa mā kàna Qaysun hulku-hu hulku wàhidin
Wa lakinna-hu bunyànu qawmin tahaddama.*

Before I sit down I wish to make a personal reference to his kindness and generosity to me and conclude on a personal note. Years ago when I was a student at college I caught a glimpse of his manly figure and commanding presence at a public meeting. Since then his great personality had exercised the profoundest influence and the most abiding

effect on my career. It was at his instance that I left the attractions of a career in Bengal and went to Lahore and it was his personality which linked me, at any rate, for some time with the Punjab. Sir, I look back to 1917 when he founded the All-India Muslim Association and appointed me as his lieutenant in Bengal. I have already referred to his services to Muslim India when he appeared as a witness before the Simon Commission when I happened to be a member of the Indian Central Committee and the skilful manner in which he piloted the Muslim case. I had always had the privilege of enjoying his generous hospitality, and when he was a Member of the Viceroy's Executive Council, whether in Delhi or in Simla, I had always been a welcome guest. My feelings, therefore, are the feelings of a great personal loss and I feel his loss as the loss of an elder brother. How keenly and eagerly I had looked forward to his presence here but alas, I find his seat vacant.

Ay basa arzu keh khak shudah.

Hàn, ay falak-i-pir!

Jawàn tha abhi Shafi!

Kya tera bigarta jo

Na marta koyi dîn aur.

"Ho! Hoary Heaven! Shafi was yet young, full of life and hale and hearty: What harm would have come to thee, if he had lived a little while longer?"

Our heart goes out in deep sympathy to Lady Shafi, to his eldest son, Mian Muhammad Rafi and to other members of his family. I wish you, Sir, to convey an expression of our sympathy to her and to the members of the bereaved family in the hope that the knowledge and the consciousness that his loss is the loss of countless millions of his fellow-believers, and his fellow countrymen and of the whole country may to some extent lighten the burden of their sorrow and be a source of some solace and consolation to them. His loss is not the loss of his family, his community or of his country alone. It is the loss of India, of the Empire and of Islam.

Mr. A. H. Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Sir, as Members of the Round Table Conference, we associate ourselves entirely with what has been said by the Honourable the Leader of the House and other Honourable Members who have just spoken. Sir, we desire to express our profound sorrow at the almost sudden and tragic death of our great and valued colleague, the late Sir Muhammad Shafi. We desire to convey through you, Sir, our deep sorrow to Lady Shafi, Begum Shah Nawaz and the bereaved family and our deepest sympathy with them in their irreparable loss. Sir, no words of ours, no human sympathy, can console them in their affliction, but when they will know that India sincerely mourns the death of Sir Muhammad Shafi, it will undoubtedly lighten the burden of their grief. Sir, to Mussalmans in India his death is reckoned as a great and distinct loss at this transitional period when a new constitution is in the making. He was in the first rank of the Muslim leaders, and to him the Muslim interest was above everything else. When the history of the Round Table Conference will have been written, the world will know what an important part Sir Muhammad had taken both in 1930 and 1931 to make the Conference a success. He was one of those who worked steadily for advancing the federal idea and bringing the Conference to a success. All illegal and unconstitutional action was anathema to him and he was a firm believer in the inestimable value to India of her place in the Empire.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, this is not an occasion for making long speeches. In fact, it is an occasion on which words are a very feeble means of giving expression to the feelings of one's heart. In a few words I wish also to pay my humble tribute to the memory of the late Mian Sir Muhammad Shafi. His sad and untimely death no doubt at this juncture in the history of our country is no less than a national calamity. In him India has lost one of her most devoted and capable sons, the Government one of their most trustworthy and sound advisers, and the Mussalmans one of their greatest leaders and the ablest advocates of their cause. Considering the dearth of really capable and self-sacrificing leaders in my community, I can say that the gap which has been caused by the death of Mian Sir Muhammad Shafi will be very difficult to fill. I had the privilege of working under him for about 20 years and with my personal experience I can say that a more charming, a more courteous and a more genial leader it was very difficult to find. As my friend, Sir Hari Singh Gour, has said, although Mian Sir Muhammad Shafi was naturally extremely anxious to safeguard the interests of our community, yet he was equally anxious to achieve the freedom of his country. He worked for that aim throughout the whole of his life and died like a great General in the midst of the field when victory was in sight. Our hearts no doubt go forth in sympathy with his accomplished wife and other members of the bereaved family. I wish to associate myself with the motion which has been moved by the Leader of the House.

Sir Zulfikar Ali Khan (Nominated Non-Official): I rise to add my contribution to the mournful tribute which has already been paid to the memory of the late Mian Sir Muhammad Shafi by so many speakers. As a Punjabi, I mourn his loss most profoundly. I had known him for a very long time, in fact from the time when he returned from England as a Barrister. He came to deliver a lecture at our college, the Punjab Chiefs College, where I was a student, and we, boys, looked on him with respect as a distinguished member of our community, and he delivered a lecture describing his student life, his social and political life. What he said inspired us with high hopes. I was one of those who thought that Sir Muhammad Shafi was bound to make a mark in the world and so he did, and I may say to my colleagues here that to young students his career was inspiring and he left on us students an impression of his dawning greatness. I met him later on many occasions. Of course, I was a co-worker along with him in political life and I met him for the first time on the Legislative stage in the Imperial Legislative Council where we represented the Punjab together. In the Imperial Legislative Council there were distinguished figures and Sir Muhammad Shafi was not a novice. He was well advanced in political thought and he had already made a great impression in the country. He distinguished himself in all the debates, and in all the intelligent debates, that ensued there, Sir Muhammad Shafi took a leading part. Later on he embarked on great schemes, and he took a leading part in all the great political movements in India. I need not give you a detailed account of all these things, because this is not the occasion to make long speeches. But I may say this, that as a friend he was most genial and most loyal to his friends, and as a politician his career was characterised by sanity of outlook, and at the bar, he was the leader twice and he made such a mark there as few people did before him. The loss of Mian Sir Muhammad Shafi is a national loss, especially at this juncture when I can hardly see

any one like him; but I hope his example will be followed by others. He tried to compose the differences of the communities, and all the warring communities looked to him for the solution of their difficulties. His death is a profound loss to the whole of the country. With these remarks, I add my tribute to his memory.

Nawab Sir Sahibzada Abdul Qaiyum (Nominated Non-Official): Sir, I shall be failing in my duty if I do not associate myself with the motion before the House, not only on account of the personal friendship that I had with the deceased, a friendship of over 40 years' duration, but also on account of the great services rendered by him during the last session of the Round Table Conference, to the cause of the North-West Frontier Province and its constitutional advancement of which I have been just reminded by a friend too. Sir, when we met in London last time, I thought that the case of our province had been ignored but on hearing of Sir Muhammad Shafi's activities in that respect I found I was mistaken. He had, in season and out of season, in public and in private, advocated the cause of the political advancement of our province to such an extent that I do not think either I myself or anybody else from that province could have done it. If it is at all due to the efforts of the Round Tablers that the province is to get equal status with other provinces, the main portion of it, the lion's share of it, should go to the deceased noble man, who fought for that cause. On one or two occasions when I was pleading before the Conference, I found him on his legs taking up the task himself. I must therefore, on behalf of the North-West Frontier Province, associate myself with the motion before the House.

There is one other point to which sufficient reference has not been made by the previous speakers, although they all paid eloquent tribute to the deceased services, I mean his services as a great educationist. He was an Honorary Visitor of, and I should say he was one of the founders of, the Islamia College, Peshawar. In his speech to the Khyber Union of the Institution, when the honorary membership of the Union was conferred on him, he said that there was no reason why the Islamia College, Peshawar, should not follow in the footsteps of the other national universities of India, of the creation of which he was so proud. In his time as Member for Education in the Government of India, I think no less than five Universities had been established in India and he was naturally proud of it. If he had lived for some time more, I would certainly have approached him and reminded him of his remark about the Islamia College, Peshawar, and I am sure that as far as it lay in his power, he would certainly have helped us in achieving that object, as he had done in the constitutional advancement of the province. For these two special reasons, I think I shall be failing in my duty, Sir, if I do not associate myself with the motion.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): I associate myself with the Honourable the Leader of the House and with the other Leaders of the various parties in expressing sorrow at the sad demise of our friend, Sir Muhammad Shafi. I knew him very intimately since 1921. He was then a Member for Education in the Executive Council of His Excellency Lord Chelmsford. Just then the first reformed Assembly was inaugurated, when I also joined, and ever since I have been in close touch with him. I had an opportunity of coming into close contact with him,

[Mr. K. Ahmed.]

because during those days we had very few Members in fact, none of them except one or two among the elected Members of the Assembly 1 P.M. are here. Those days are gone. In him India has lost a well-wisher of the country and the Muhammadans have lost a very great friend. By his death the people of the country, and particularly the Muslims, feel very much poorer to-day and the void created by his death will be very difficult to fill.

Sir Muhammad Shafi was not only a great educationist but a far-sighted politician and able lawyer. He attended the Round Table Conference twice lately, and his expressions there on the subject of the evolution of responsible government created great interest. His views were very liberal. He was a great patriot and his views were shared by many of the Hindus among the moderates. He was not only very liberal in his views but was a great exponent of progressive responsible government in this country. He was generous and kind-hearted; by his charming manners he endeared himself to everyone who came in contact with him. He made no distinction in his treatment towards his opponents or adherents. I remember an occasion in the year 1923 when on the floor of this Assembly there were some passages-at-arms between him and myself. He represented the Government then as Law Member and the discussion went on with regard to the Criminal Procedure Code Amendment Bill, 1898. I was then speaking for the Democratic Party. My Leader was then the late Mr. Justice Seshagiri Iyer. Sir Muhammad Shafi seeing that I was supported not only by my Leader but also by the Associations and Bar Libraries of India, came at once and compromised on behalf of the Government, and as a matter of fact a lot of amendments were accepted without any trouble and they are to-day a part and parcel of the Code. Sir Muhammad Shafi was very compromising with regard to many matters in the Round Table Conference as well. In social matters he held very liberal views. I remember even on *Id-uz-zuha* day at Simla I met certain friends of ours in his house partaking of dishes in celebration of the ceremony. I met the late Sir Benode Mitter who was then a Member of the Council of State. The *Bakr-Id* festivities he used to celebrate not as a communalist but as a friend of all without making any distinction of Muhammadans or Hindus or even Christians or Europeans. I was very intimately in touch with him from the very beginning to the end. A few days before he expired, he wrote to me a letter and in that letter he is full of kindness towards his family to which he was greatly attached. This is what he wrote:

"IQBAL MANZIL",

LAHORE,

25th December, 1931.

"My dear Kabeeruddin Ahmed,

Yours of the 20th instant. From the address at the top you will see that I am spending the Christmas week at Lahore. My mother is ill and I cannot leave her in this condition. I am therefore unable to go to Calcutta. Hoping to meet you in Delhi,

With kind regards,

Yours sincerely,

MD. SHAFI."

K. Ahmed Esq., M.L.A.,

Bar-at-Law,

10, Hastings Street, Calcutta.

Sir, the actions of a man are beyond his control. It is a proverb that "Man proposes but God disposes". Sir Muhammad Shafi had a great mind to come to this Assembly and take up the helm of the department with which he was associated for a long time and at this time of great difficulty when Agriculture, Health and Lands are to-day playing a most important part in the political activities of this country, he would have been of great help not only to the country but to the Government as well. Such help the Government and the people are now deprived of. Sir, I do not think that the aims and objects which Sir Muhammad Shafi had in view could at all be achieved by the present incumbent, who has been lately appointed in his place by the Government. We can do no more than pray to God that his soul in Heaven may remain in peace. It is only fair, Mr. President, that the sympathy and condolence of this House expressing our deep sorrow at his bereavement should be sent to the members of his family over your signature, and also a copy of the motion moved by the Honourable the Leader of the House.

Mr. President: I should like to associate myself with all that has fallen from Honourable Members in lamenting the serious loss which the country has sustained by the premature death of Sir Muhammad Shafi. It is specially unfortunate that he should have passed away at a time when his services to his motherland were likely to prove of the utmost value. I had known Sir Muhammad Shafi since we were fellow workers in the Central Legislature, and from that time our friendship developed and we became very intimate friends. On his return from Europe I congratulated him on his having been selected again for public service in the Central Executive Council. It is very sad indeed that within a few weeks we meet here to mourn the loss of one whom I regarded as a true patriot. I particularly admired his strength of character. He did not believe merely in precepts, but he translated his precepts into practice. His contribution as Education Member of the Government of India in the matter of female education is a typical instance of it. He has given the highest education to his daughter, Mrs. Shah Nawaz, and to other female members of his family, and if on a mournful occasion like this there is to be any consolation, it is that he has left behind him the sturdy patriotism of Mrs. Shah Nawaz.

I will comply with your wishes, Gentlemen, and convey to the family of the deceased the sympathy and the condolence of this House, and as a tribute to his memory, I adjourn the House till 11 o'clock tomorrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 26th January, 1932.