

Monday, 14th March 1932

THE
LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT)

VOLUME III, 1932

(14th March to 6th April, 1932)

THIRD SESSION

OF THE

**FOURTH LEGISLATIVE ASSEMBLY,
1932**



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Legislative Assembly

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CONTENTS.

VOLUME III.—14th March to 6th April, 1932.

	PAGE.
Monday, 14th March, 1932—	
Members Sworn	1923
Questions and Answers	1923—1948
Unstarred Questions and Answers	1948—1950
Motion for Adjournment <i>re</i> Excesses of the Police in Delhi and Desecration of the Mosque in Kucha Rahman—Negatived	1951, 1985—2008
Election to the Standing Committee for the Department of Educa- tion, Health and Lands	1951
The General Budget—List of Demands—	1951—1985
Demand No. 28—Executive Council—	1952—1985
The Constitutional Issue	1952—1985
Tuesday, 15th March, 1932—	
Questions and Answers	2009—2018
Unstarred Questions and Answers	2018—2025
Bill passed by the Council of State laid on the Table	2025
The General Budget—List of Demands— <i>contd.</i>	2025—2083
Demand No. 28—Executive Council— <i>contd.</i>	2025—2083
Retrenchment	2025—2083
Wednesday, 16th March, 1932—	
Questions and Answers	2085—2095
Unstarred Questions and Answers	2095—2096
The General Budget—List of Demands— <i>contd.</i>	2096—2144
Demand No. 28—Executive Council— <i>contd.</i>	2096—2144
Avoidance of Income-tax	2096—2118
Indianisation of the Army	2118—2144
Thursday, 17th March, 1932—	
The General Budget—List of Demands— <i>contd.</i>	2145—2199
Demand No. 28—Executive Council— <i>contd.</i>	2145—2199
Royal Commission on Labour	2145—2155
Lack of Supervision over the Coal Transactions of Railways	2155—2172
Separation of Burma from India	2173—2193
Improper Interference by the Secretary of State in the Financial Affairs of India	2194—2199
Friday, 18th March, 1932—	
Questions and Answers	2201—2217
Unstarred Questions and Answers	2217—2224
Statement laid on the Table <i>re</i> Report on the Howard-Nixon Memo- randum regarding Financial Questions arising out of the Separation of Burma from India	2224—2229

Friday, 18th March, 1932—contd.

Statement of Business	2229—2231
Election of Members to the Public Accounts Committee	2231
The General Budget—List of Demands— <i>contd.</i>	2231—2281
Demand No. 28—Executive Council— <i>concl'd.</i>	2231—2232
Demand No. 16—Customs—	2232—2266
Insufficient Economy effected by Government under Customs	2232—2266
Demand No. 17—Taxes on Income	2267
Demand No. 18—Salt	2267
Demand No. 19—Opium	2268
Demand No. 20—Stamps	2268
Demand No. 21—Forests	2268
Demand No. 22—Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works	2268
Demand No. 23—Indian Posts and Telegraphs Department (including Working Expenses)	2268—2281

Saturday, 19th March, 1932—

Motion for Adjournment <i>re</i> Alleged Maltreatment of Women Political Prisoners—Request for leave to be renewed on Wednesday	2283
The General Budget—List of Demands— <i>concl'd.</i>	2283—2345
Demand No. 23—Indian Posts and Telegraphs Department— <i>cont'd.</i>	2283—2288
Demand No. 25—Interest on Ordinary Debt and Reduction or Avoidance of Debt	2288
Demand No. 26—Interest on Miscellaneous Obligations	2288
Demand No. 27—Staff, Household and Allowances of the Governor General	2288
Demand No. 29—Council of State	2288
Demand No. 30—Legislative Assembly and Legislative Assembly Department	2289
Demand No. 31—Foreign and Political Department	2290—2314
Demand No. 32—Home Department	2314—2325
Demand No. 33—Public Service Commission	2325—2334
Demand No. 34—Legislative Department	2334
Demand No. 35—Department of Education, Health and Lands	2334
Demand No. 36—Finance Department	2335
Demand No. 38—Commerce Department	2335
Demand No. 39—Army Department	2335
Demand No. 40—Department of Industries and Labour	2335
Demand No. 41—Central Board of Revenue	2335
Demand No. 42—Payments to Provincial Governments on account of Administration of Agency Subjects	2335
Demand No. 43—Audit	2336
Demand No. 44—Administration of Justice	2336
Demand No. 45—Police	2336
Demand No. 46—Ports and Pilotage	2336
Demand No. 47—Lighthouses and Lightships	2336
Demand No. 48—Survey of India	2336
Demand No. 49—Meteorology	2337
Demand No. 50—Geological Survey	2337
Demand No. 51—Botanical Survey	2337
Demand No. 52—Zoological Survey	2337

	PAGE.
Saturday, 19th March, 1932—contd.	
Demand No. 53—Archæology	2337
Demand No. 54—Mines	2337
Demand No. 55—Other Scientific Departments	2338
Demand No. 56—Education	2338
Demand No. 57—Medical Services	2338
Demand No. 58—Public Health	2338
Demand No. 59—Agriculture	2338
Demand No. 60—Imperial Council of Agricultural Research Department	2338
Demand No. 61—Civil Veterinary Services	2339
Demand No. 62—Industries	2339
Demand No. 63—Aviation	2339
Demand No. 64—Commercial Intelligence and Statistics	2339
Demand No. 65—Census	2339
Demand No. 66—Emigration—Internal	2339
Demand No. 67—Emigration—External	2340
Demand No. 68—Joint Stock Companies	2340
Demand No. 69—Miscellaneous Departments	2340
Demand No. 70—Indian Stores Department	2340
Demand No. 71—Currency	2340
Demand No. 72—Mint	2340
Demand No. 73—Civil Works	2341
Demand No. 74—Superannuation Allowances and Pensions	2341
Demand No. 75—Stationery and Printing	2341
Demand No. 76—Miscellaneous	2341
Demand No. 76-A—Expenditure on Retrenched Personnel Charged to Revenue	2341
Demand No. 77—Refunds	2341
Demand No. 78—North-West Frontier Province	2342
Demand No. 79—Baluchistan	2342
Demand No. 80—Delhi	2342
Demand No. 81—Ajmer-Merwara	2342
Demand No. 82—Andamans and Nicobar Islands	2342
Demand No. 83—Rajputana	2342
Demand No. 84—Central India	2343
Demand No. 85—Hyderabad	2343
Demand No. 85-A—Aden	2343
Demand No. 86—Expenditure in England—Secretary of State	2343
Demand No. 87—Expenditure in England—High Commissioner for India	2343
Demand No. 88—Capital Outlay and Security Printing	2343
Demand No. 89—Forest Capital Outlay	2344
Demand No. 90—Irrigation	2344
Demand No. 91—Indian Posts and Telegraphs	2344
Demand No. 93—Capital Outlay on Currency Note Press	2344
Demand No. 94—Capital Outlay on Vizagapatam Harbour	2344
Demand No. 95—Capital Outlay on Lighthouses and Lightships	2344
Demand No. 96—Commuted Value of Pensions	2345
Demand No. 96-A—Expenditure on Retrenched Personnel Charged to Capital	2345
Demand No. 98—Interest-free Advances	2345
Demand No. 99—Loans and Advances bearing Interest	2345

Wednesday, 23rd March, 1932—

Members Sworn	2347
Questions and Answers	2347—2385
Unstarred Questions and Answers	2386—2408
Motion for Adjournment <i>re</i> Alleged maltreatment of women political Prisoners—Negatived	2408—2409, 2442—2463
Statements laid on the Table	2409—2414
The Hindu Marriages Dissolution Bill—Presentation of the Report of the Committee on Public Petitions	2414
The Hindu Untouchable Castes (Removal of Disabilities) Bill— Presentation of the Report of the Committee on Public Petitions	2415
Election of Members to the Standing Finance Committee	2415
Election of Members to the Standing Committee on Emigration	2415
The Ancient Monuments Preservation (Amendment) Bill—Appoint- ment of Sir Cowasji Jehangir to Select Committee	2415
The Indian Medical Council Bill—Introduced	2415—2416
The Salt Additional Import Duty (Extending) Bill—Passed	2416—2438
The Bengal Criminal Law Amendment (Supplementary) Bill— <i>contd.</i>	2438—2442
Appendix	2465—2466

Thursday, 24th March, 1932—

Questions and Answers	2467—2489
Election to the Standing Finance Committee	2490
Election to the Standing Committee on Emigration	2490
Statements laid on the Table	2490—2499
Election of Members to the Public Accounts Committee	2500
Election of Members to the Standing Finance Committee for Railways	2500
The Bengal Criminal Law Amendment (Supplementary) Bill— <i>contd.</i>	2500—2542

Tuesday, 29th March, 1932—

Members Sworn	2543
Questions and Answers	2543—2590
Short Notice Question and Answer	2590—2591
Unstarred Questions and Answers	2591—2608
Death of Mr. K. V Rangaswami Iyengar	2608—2612
Election of Members to the Public Accounts Committee	2612
Election of Members to the Standing Finance Committee for Rail- ways	2612
Statements laid on the Table	2612—2617
Draft Convention and Recommendations <i>re</i> Protection against accidents of workers employed in loading and unloading ships	2618—2619
The Bengal Criminal Law Amendment (Supplementary) Bill— <i>contd.</i>	2619—2654

Wednesday, 30th March, 1932—

Questions and Answers	2655—2664
Unstarred Questions and Answers	2664—2667
Death of Mr. F. W. Allison	2668—2670
Statements laid on the Table	2670—2671
Election of Members to the Central Advisory Council for Railways	2671
The Bengal Criminal Law Amendment (Supplementary) Bill— Passed as amended	2672—2714

Thursday, 31st March, 1932—

Questions and Answers	2715—2721
Short Notice Question and Answer	2721—2728
Election to the Central Advisory Council for Railways	2729
Message from the Council of State	2729
Statements laid on the Table	2729—2730
The Port Haj Committees Bill—Introduced	2730
The Hedjaz Pilgrims (<i>Muallims</i>) Bill—Introduced	2730
The Foreign Relations Bill— <i>contd.</i>	2731—2776

Friday, 1st April, 1932—

Members Sworn	2777
Questions and Answers	2777—2784
Short Notice Question and Answer	2784—2785
Motion for Adjournment <i>re</i> unsatisfactory reply of the Leader of the House in regard to the expediting of the Reforms with Mahatma Gandhi in Jail—Negatived	2785—2788, 2829—2847
Statements laid on the Table	2788—2794
The Foreign Relations Bill— <i>contd.</i>	2794—2821
The Sugar Industry (Protection) Bill— <i>contd.</i>	2821—2829
Appendix	2849—2850

Saturday, 2nd April, 1932—

Statement of Business	2851—2852
Statements laid on the Table	2852—2854
The Sugar Industry (Protection) Bill—Passed	2855—2879
The Foreign Relations Bill—Passed as amended	2879—2902

Monday, 4th April, 1932—

Member Sworn	2903
Questions and Answers	2903—2908
Unstarred Questions and Answers	2908—2909
Short Notice Question and Answer	2910—2912
Statement laid on the Table	2912
The Indian Air Force Bill—Passed	2912—2925
The Indian Tariff (Wireless Broadcasting) Amendment Bill—Passed	2925—2933
The Public Suits Validation Bill—Passed	2933—2962

Tuesday, 5th April, 1932—

Member Sworn	2963
Statement <i>re</i> South Africa	2963—2966, 3012—3014
Statements laid on the Table	2966—2969
The Ancient Monuments Preservation (Amendment) Bill—Presentation of the Report of Select Committee	2969
The Code of Civil Procedure (Amendment) Bill—Passed	2969—2970
The Indian Partnership Bill—Amendments made by the Council of State agreed to	2970—2971
The Indian Merchant Shipping (Amendment) Bill—Referred to Select Committee	2971—2978
The Tea Districts Emigrant Labour Bill—Referred to Select Committee	2978—2998

Tuesday, 5th April, 1932—contd.

The Port Haj Committees Bill—Referred to Select Committee	2998—3006
The Hedjaz Pilgrims (<i>Muallims</i>) Bill—Referred to Select Committee	3006—3009
Resolution to amend the previous Resolution on Roads—Adopted	3010—3012
Report on financial questions arising out of the proposed separation of Burma from India	3014—3025

Wednesday, 6th April, 1932—

Question and Answer	3027
Message from the Council of State	3027
Death of Sir Bomanji Dalal	3027—3029
Statement laid on the Table	3029—3030
Report on financial questions arising out of the proposed separation of Burma from India—Consideration postponed till the next Simla Session	3030—3050

CORRIGENDA.

In the Legislative Assembly Debates, Delhi Session, 1932—

- (1) Vol. I, No. 3, dated the 27th January, 1932, page 110, line 19, *add* the word and bracket “(net)” after the amount Rs. 2,86,800.
- (2) Vol. I, No. 7, dated the 3rd February, 1932, page 371, in the subject-heading to unstarred question No. 17, *for* “ Office House ” *read* “ Office Hours ”.
- (3) Vol. II, No. 2, dated the 22nd February, 1932, page 1002, in the subject-heading to unstarred question No. 77, *for* “ Muslims ” *read* “ Munshis ”.
- (4) Vol. II, No. 10, dated the 4th March, 1932—
 - (i) page 1511, line 10, *for* “ me ” *read* “ my ”.
 - (ii) page 1544, line 19, *for* “ Stateman ” *read* “ Statesman ”.
- (5) Vol. II, No. 12, dated the 9th March, 1932, page 1730, line 16, *for* “ Prarartate ” *read* “ Pravartate ”.
- (6) Vol. III, No. 5, dated the 18th March, 1932—
 - (a) page 2232, lines 27 and 34, *for* “ 1932 ” *read* “ 1933 ”.
 - (b) page 2260—
 - (i) line 26, *for* “ 31, $\frac{2}{3}$ rds ” *read* “ 31 $\frac{2}{3}$ rds ”,
 - (ii) line 28, *for* “ 1, $\frac{1}{3}$ rd ” *read* “ 1 $\frac{1}{3}$ rd ”,
 - (iii) line 29, *for* “ 27, $\frac{1}{3}$ rd ” and “ 4, $\frac{1}{3}$ rd ” *read* “ 27 $\frac{1}{3}$ rd ” and “ 4 $\frac{1}{3}$ rd ”, respectively.
- (7) Vol. III, No. 7, dated the 23rd March, 1932, page 2444, line 23, *for* “ treament ” *read* “ treatment ”.
- (8) Vol. III, No. 10, dated the 30th March, 1932, page 2661, line 18, *for* “ Postmasters ” *read* “ Postmaster ”.
- (9) Vol. III, No. 11, dated the 31st March, 1932, page 2719, from the subject-heading to starred question No. 1091, *delete* “ and for Buildings in New Delhi ”.
- (10) Vol. III, No. 12, dated the 1st April, 1932, page 2787, line 30, *for* “ examine ” *read* “ examined ”.
- (11) Vol. III, No. 14, dated the 4th April, 1932—
 - (i) page 2921, line 15, *for* “ duty if the ” *read* “ duty of the ”.
 - (ii) page 2930, line 5 from the bottom, *for* “ Mr. S. C. Jog ” *read* “ Mr. S. G. Jog ”.

LEGISLATIVE ASSEMBLY.

Monday, 14th March, 1932.

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

MEMBERS SWORN:

Mr. Panambur Raghavandra Rau, M.L.A. (Financial Commissioner, Railways); and

Mr. John Carson Nixon, M.L.A. (Government of India: Nominated Official).

QUESTIONS AND ANSWERS.

CANCELLATION OF A PASSPORT GRANTED TO SIRDAR HARBANS SINGH, A MERCHANT OF SISTAN.

747. ***Sardar Sant Singh:** (a) Is it a fact that the passport granted to S. Harbans Singh, Indian merchant of Sistan in 1923 has been since cancelled?

(b) Was any application for the grant of a fresh passport made by the said person? If so, with what result?

Sir Evelyn Howell: (a) Yes, Sir. In 1924 the passport granted to S. Harbans Singh was cancelled.

(b) Yes, Sir. It was refused.

SUBSIDY PAID FOR THE MAIL MOTOR SERVICE BETWEEN SALEM AND ATHUR.

748. ***Mr. Uppi Saheb Bahadur** (on behalf of Mr. D. K. Lahiri Chaudhury): (a) Is it a fact that the Superintendent of Post Offices, Salem, paid on his own authority the subsidy from March, 1931, for the mail motor service between Salem and Athur to a certain motor bus proprietor of his own choice?

(b) Are Government aware that there was no regular contract between Government and this proprietor of the motor bus service?

(c) If the replies to the above be in the affirmative, are Government satisfied that the action of the Superintendent of Post Offices, Salem, in paying a subsidy to a motor bus service proprietor without any formal contract with the latter is in order?

(d) Is it a fact that the authority of the Postmaster General is necessary for such a transaction? If so, was it obtained by the Superintendent of Post Offices, Salem? If not, do Government propose to take any action against the latter? If not, why not?

Mr. T. Ryan: Information is being collected and will be placed on the table of the House in due course.

PAUCITY OF MUSLIMS APPOINTED TO THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

749. *Mr. M. Maswood Ahmad: (a) Will Government be pleased to state if it is a fact that 30 appointments have very recently been made in the office of the Deputy Accountant General, Posts and Telegraphs, Delhi; if not, will Government be pleased to give the correct number?

(b) If the reply to part (a) above is in the affirmative, will Government be pleased to state if it is a fact that out of the total 30 appointments, only four have been given to Muslims; if not, will Government be pleased to state the correct number of Muslims appointed?

(c) If the reply to part (b) above is in the affirmative, will Government be pleased to state whether the Deputy Accountant General, Posts and Telegraphs, disregarded the instructions of the Home Department for the recruitment of Muslims in his office? If so, what action is proposed to be taken against the Deputy Accountant General?

The Honourable Sir George Schuster: Enquiry is being made and a reply will be laid on the table in due course.

APPOINTMENT OF MUSLIMS IN CIVIL ACCOUNTS OFFICES.

750. *Mr. M. Maswood Ahmad: (a) Will Government be pleased to state if it is a fact that the Controller of Civil Accounts has issued instructions to the different Accountants General on the method of future recruitment? Do these provide for the allotment of appointments to Muslims according to the proportion fixed by the Home Department?

(b) If not, are Government prepared to direct this Controller of Civil Accounts to issue orders following those issued by the Home Department; if not, why not?

The Honourable Sir George Schuster: (a) and (b). Instructions have recently been issued by the Controller of Civil Accounts dealing with certain aspects of recruitment. These however make no reference to any communal basis of selection because on this subject the policy of Government has already been clearly laid down and is well understood.

EMPLOYMENT OF MUSLIMS IN THE TELEGRAPH DEPARTMENT.

751. *Mr. M. Maswood Ahmad: Will Government be pleased to refer to their reply to my unstarred question No. 89 (dated 22nd February, 1932) which runs as under:

“The correct figures for the whole of India as they stood on 15th May, 1930, are as follows:

Telegraph Engineering and wireless branches.				Telegraph Traffic Branch.			
Europeans and Anglo-Indians.	Hindus.	Muslims.	Other communities.	Europeans and Anglo-Indians.	Hindus.	Muslims.	Other communities.
170	24	2	5	59	34	..	3”

and to my starred question No. 13 answered on the 26th January, 1932, and now state what steps have so far been taken to improve the Muslim representation; if not, why not?

The Honourable Sir Joseph Blore: The attention of the Honourable Member is invited to the replies given by the Honourable Sir A. C. McWatters and the Honourable Sir B. N. Mitra on the 5th September, 1928 and the 30th January, 1929, to starred questions Nos. 72 and 330 of Mr. Anwar-ul-Azim.

Dr. Ziauddin Ahmad: Has there been no change during the last three years?

Sir Joseph Blore: I think, as a matter of fact, Sir, it was a question of principle that was involved, and the principle is the same.

RETRENCHMENTS IN THE DELHI DIVISION OF THE NORTH WESTERN RAILWAY.

752. ***Mr. M. Maswood Ahmad:** With reference to the reply given on 22nd February, 1932, to my unstarred question No. 84, will Government be pleased to make a reference to the Division concerned and give answers to the point to parts (b), (c) and (d) thereof?

Mr. P. R. Rau: The information available shows that on the North Western Railway as a whole the general instructions of the Railway Board were satisfactorily complied with. Government regret that they are not prepared to make special enquiry concerning particular Divisions. I would however refer the Honourable Member to paragraph 11 of Mr. Hassan's Report.

Mr. M. Maswood Ahmad: Sir, the reply is not to the point. The question is, is it a fact that no regard has been paid to safeguarding the interests of communities not adequately represented at the time

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Honourable Member can only ask a supplementary question.

Mr. M. Maswood Ahmad: Do you think the answer is to the point?

Mr. P. R. Rau: Yes, Sir.

MUSLIMS PROMOTED TO THE SUPERIOR REVENUE ESTABLISHMENT OF THE NORTH WESTERN RAILWAY.

753. ***Mr. M. Maswood Ahmad:** Will Government please state:

- (a) the number of Muslims and non-Muslims promoted to the Superior Revenue Establishment of the North Western Railway from the subordinate service during the last three years;
- (b) the number of these in the Personnel Branch of the service; and
- (c) the number of Muslims and non-Muslims of the superior revenue establishment reverted from the Personnel Branch of the service during the year ending 29th February, 1932?

Mr. P. R. Rau: (a) During the last three years two subordinates on the North Western Railway have been promoted permanently to the Superior Revenue Establishment of State Railways. Neither was a Muslim.

(b) One of these is at present filling the post of an Assistant Personnel Officer.

(c) Government have no information.

MUSLIMS APPOINTED AS PERSONNEL OFFICERS ON THE NORTH WESTERN RAILWAY.

754. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that when replying to the questions of an Honourable Member in February last as to the number of Muslim officers appointed as Personnel Officers, Government stated that 4 Muslims were appointed as such?

(b) If so, will Government please say if the transfer of an officer from one Department to another means an appointment? If not, will Government please say if it is a fact that only one Muslim subordinate was given a chance to officiate as Assistant Personnel Officer in the Mechanical Workshop Division who has been reverted, otherwise there was no such appointment?

Mr. P. R. Rau: (a) I presume the Honourable Member has in mind Sir Alan Parsons' reply to Mr. Muhammad Muazzam Sahib Bahadur's question No. 673 on 7th March, 1932, in which it was stated that the information available showed that on 1st December, 1931, 4 posts of Personnel or Assistant Personnel Officers on the North Western Railway were filled by Muslims.

(b) As explained in the reply referred to above, posts of Personnel and Assistant Personnel Officers are as a rule filled by officers of the Indian Railway Service of Engineers or the various branches of the Superior Revenue Establishment. About the latter part of this question Government have no information.

Dr. Ziauddin Ahmad: Sir, I did not catch the reply to this part of the question, that is to say, whether the transfer of an officer from one department to another is supposed to be a new appointment. What is the reply to this part?

Mr. P. R. Rau: Not usually, Sir; but since there is no regular service of Personnel Officers, appointment to the personnel branch means that an officer already in the service is posted to that particular branch.

ALLOWANCES OF TRAFFIC RELIEVING STAFF OF THE EASTERN BENGAL RAILWAY.

755. ***Mr. N. M. Joshi:** (a) Will Government be pleased to state if it is a fact that the Traffic Relieving Staff of the Eastern Bengal Railway have to work out of their headquarters station? Are Government aware that this involves their keeping establishments both at the headquarters and the stations?

(b) If so, will Government be pleased to state on what grounds their allowances are reduced from 35 days' full allowance to 10 days' full allowance, 20 days' half allowance and no allowance thereafter? For what considerations were these allowances given?

(c) Is it a fact that the Traffic Relieving Staff have submitted memorials to the authorities explaining the hardships inflicted by the curtailment of their allowance?

(d) Is it a fact that the Agent of the Eastern Bengal Railway represented to the Railway Board in the month of July 1931 to reconsider the matter? If so, will Government please state what the proposals of the Agent were and what action they have taken regarding them?

Mr. P. R. Rau: (a) Relieving staff, as the name implies, are intended to be sent out of headquarters occasionally to fill short vacancies. I understand that this does not ordinarily involve keeping up two establishments.

(b) The practice on different railways regarding relieving allowances was different, and in May last, the Railway Board decided to introduce the uniform practice of granting such staff the compensatory allowance, if any, admissible at headquarters and the usual travelling allowances admissible on tour. The whole question is, however, being reconsidered.

(c) Advance copies of memorials have been received.

(d) The Agent, Eastern Bengal Railway, has not yet submitted his remarks on these memorials, but he made a reference on the subject to the Railway Board in July, 1931, wherein he expressed the opinion that limiting allowances to 10 days would cause difficulties. The orders of September, 1931, which allow half daily allowance for a further period, are intended to minimise those difficulties, and he has not made further representations in the matter.

DISCONTINUANCE OF THE CAPTATION GRANT FOR EDUCATION OF RAILWAY EMPLOYEES.

Mr. N. M. Joshi: (a) Is it a fact that the capitation grant, *vis.*, annas 8 per child of Railway employees, given to primary schools at Railway centres on the Eastern Bengal Railway, has been discontinued?

(b) Are Government aware that this discontinuance strikes at the very existence of the primary schools especially in the present financial stringency?

(c) Are Government prepared to reconsider the matter?

Mr. P. R. Rau: The Agent, Eastern Bengal Railway, reports that the capitation grant has not been discontinued.

REPLACEMENT OF VICEROY'S COMMISSIONED OFFICERS BY KING'S COMMISSIONED OFFICERS IN CERTAIN UNITS.

757. ***Rao Bahadur B. L. Patil** (on behalf of Mr. B. V. Jadhav): (a) Will Government be pleased to place on the table of the House a copy of the resolution under which Viceroy's Commissioned officers in the Indianised units are to be replaced by the King's Commissioned officers?

(b) Will Government be pleased to state whether the resolution has been brought into operation and the number of vacancies in the Viceroy's Commissioned officers that have not been filled on its account?

(c) Will Government be pleased to state whether they have satisfied themselves that the full implication of the resolution has been realised by the regiments which will be affected by it? What steps have Government taken to explain the consequences of the resolution to the Indian Army?

Mr. G. M. Young: (a) There is no such Resolution. A statement relating to the subject was made by the late Commander-in-Chief in his speech in this House on the 8th March, 1928.

(b) The measure has not yet been brought into operation. It will not be necessary to begin replacing Viceroy's Commissioned officers by Indian King's Commissioned officers in any Indianising unit, at the earliest until the first batch of officers Commissioned from the Indian Military Academy has completed its course, as well as one year of attachment to British units, *i.e.*, not at any rate before the autumn of 1935. Even after this, the displacement of Viceroy's Commissioned officers will be a gradual process, as it will only take place in those units which have been selected for Indianisation.

(c) Government are fully alive to the importance of keeping the Indian Army acquainted with the consequences of their policy; and these will be explained in full to all ranks before they are brought into effect.

RECRUITMENT OF MEMBERS OF MARATHI AND CANARESE BACKWARD COMMUNITIES IN CENTRAL GOVERNMENT SERVICES.

758. ***Rao Bahadur B. L. Patil** (on behalf of Mr. B. V. Jadhav): Will Government be pleased to state whether they have considered the question of applying the rules made by the Government of Bombay for the recruitment of the non-Brahmin backward communities from the Marathi and Canarese speaking districts of that Presidency when recruiting servants in the departments directly under the Government of India, such as the Income-tax, Posts and Telegraphs, Customs, Salt, Mint, Security Press, Government Dockyard and State Railways within the territorial limits of that Presidency? If so, do they intend to apply those rules?

The Honourable Sir James Crerar: The Government of India have not specifically considered the question of granting representation to non-Brahmin backward communities of the tracts mentioned in Central Services, but they are considering how far it will be practicable to follow the practice of Local Governments in respect of communal representation in the services under their control, recruitment to which is made locally.

DISTINCTION IN PENSION CONDITIONS BETWEEN THE INDIAN ARMY SERVICE CORPS AND THE MILITARY ENGINEERING CORPS.

759. ***Dr. F. X. DeSouza** (on behalf of Lieut.-Colonel Sir Henry Gidney): (a) Is it a fact that the Indian Army Service Corps, the Military Engineering Corps and other such corps are entirely recruited in this country and are called "Indian Corps"?

(b) Will Government please state whether the pensions of officers belonging to these corps were considerably increased about the same time as the Indian Medical Department and are expressed in sterling?

(c) Is it a fact that A. I. (I.) No. 416 of 1924 has not been rescinded up to date and is it therefore still in force?

(d) Is it a fact that Government refuse to sanction sterling rates of pension in the case of the Indian Medical Department on the ground that it is an Indian recruited Department?

(e) Will Government please state why this distinction is made between one Indian recruited Department and another, *viz.*, the Indian Medical Department and the Indian Army Service Corps?

Mr. G. M. Young: (d) Such corps and services form part of the Indian Army. The British personnel of the Indian Army Service Corps consists mainly of officers and men originally recruited in the United Kingdom and appointed to the Corps in India: military personnel of the Military Engineer Establishment are recruited mainly from Great Britain and sometimes from British units serving in India.

(b) and (c). Yes.

(d) and (e). Indian Medical Department pensions are expressed in rupees because members of the Department belong mainly to the domiciled community and are generally expected to reside in India after retirement, whereas British personnel of other ancillary services, such as the Indian Army Service Corps, are generally recruited for the Army in the United Kingdom, and may be expected to reside there on retiring.

HIGH WATER METER RENT IN NEW DELHI.

760. ***Mr. Bhuput Singh** (on behalf of Mr. Lalchand Navalrai): (a) Is it a fact that in privately owned houses in New Delhi a meter rent of Rs. 2 per month is charged in respect of water connections, whereas the meter rent for electric connections is Re. 1 a month only?

(b) Will Government kindly state the reason for the difference of rents in the two cases?

(c) Do Government propose to consider the desirability of reducing the present rate of water meter rent?

Sir Frank Noyce: (a) Yes.

(b) The cost of supervision and maintenance of water meters is higher than that in the case of electric meters.

(c) No.

QUARTERLY BILLS FOR WATER CHARGES IN NEW DELHI.

761. ***Mr. Bhuput Singh** (on behalf of Mr. Lalchand Navalrai): (a) Is it a fact that bills for water charges are sent to owners of private houses on a *quarterly* basis?

(b) Are Government aware that most of these houses are let out to tenants who are liable to change from time to time?

(c) Are Government aware that in actual practice the quarterly bills are not sent very expeditiously and although they are supposed to be quarterly bills, yet by the time they reach the landlords they sometimes

contain charges in respect of periods several months old; for instance, the quarterly bills recently received in the beginning of February, contain charges in respect of the month of September?

(d) Are Government aware that there is a possibility of the tenant living in September leaving the house by February and that it is very difficult to recover old bills from a tenant who is no longer occupying the house?

(e) Is it a fact that electric bills, on the other hand, are sent monthly?

(f) If so, do Government propose to consider the desirability of adopting a similar system in the case of water bills? If not, why not?

Sir Frank Noyce: (a) Yes.

(b) and (d). I have no direct information, but am prepared to accept the Honourable Member's statement.

(c) The bills are issued as a rule between the 23rd and the last date of the month following the quarterly period to which the charges relate. If owners of houses do not pay their bills on presentation, the arrears are included in subsequent bills.

(e) Yes.

(f) The suggestion will be brought to the notice of the Municipal Committee of New Delhi which has now taken over both these services.

PROPORTION OF ENGLISH AND INDIAN OFFICER INSTRUCTORS IN THE NEW INDIAN SANDHURST.

762. ***Sirdar Sohan Singh:** Will Government please state what will be the proportion of English and Indian officer instructors in the new Indian Sandhurst?

Mr. G. M. Young: No proportion has been fixed. Indian officers holding the King's Commission and possessing the requisite qualifications will be considered for appointment as Instructors at the Indian Military Academy along with British officers.

PROMOTION OF INDIAN MILITARY OFFICERS.

763. ***Sirdar Sohan Singh:** (a) Is it a fact that up to the present not a single Indian King's Commission officer has been appointed a permanent Company or Squadron Commander?

(b) Is it not a fact that there are several Indian King's Commission officers, who are fully qualified, and that they have not been given the chance of a squadron or company command? Are Government aware that, in some cases, English officers have been brought from other units for the purpose of superseding Indian officers in the Indianised units? If the Indian officers of the Indianised units were not considered competent and that was the reason for their supersession, why were not other Indian officers in the other units of the same status not appointed to the Indianised units when the British officers were brought in?

Mr. G. M. Young: (a) Yes, because none of the officers is yet sufficiently senior. Many of them are, however, officiating as Company or Squadron Commanders.

(b) I think the Honourable Member has misunderstood the position. Advancement to squadron or company command is made when a vacancy occurs, and it does not follow because an individual officer may be qualified for such command that he is automatically promoted to it. There are many British officers in units of the Indian Army who are senior to the Indian officers, but have not yet been appointed permanent Company or Squadron Commanders.

The answer to the second part of the question is in the negative, and the third does not therefore arise. The only British officers who have been introduced into Indianizing units have been those required for the appointment of second in command in the immediate future. The Indian officers are too junior as yet for this appointment.

AGE FOR ENTRANCE EXAMINATION FOR SANDHURST.

764. *Sirdar Sohan Singh: (a) Have Government considered the question of reducing the age standard of the Indian boys for the entrance examination for Sandhurst, say between 17 and 18 instead of 18 and 20?

(b) Is it a fact that the first batch of Indians for King's Commissions was recruited from those who were of 20 years or even older and that policy is maintained even up to now? Are Government aware that the consequence is that an Indian would be a Lt.-Colonel only after he is 48 or 49 years of age and that India will not have Indian commanding officers for another 15 to 20 years?

(c) Are Government prepared to make some amendments on this point by giving accelerated promotion to some selected Indian officers?

Mr. G. M. Young: (a), (b) and (c). Officers obtaining command of Indian battalions at the present time have generally about 25 years' service, and in some cases less. Indian King's Commissioned officers should therefore normally obtain promotion to the rank of Lieut.-Colonel before they are 47 years of age, and thus be able to complete their full tenure of command. As regards cadets from the Indian Military Academy, I would invite the Honourable Member's attention to paragraph 12 of the report of the Indian Military College Committee. Government have accepted the recommendations in this paragraph, and will take steps, where necessary, to amend the regulations so as to ensure that Indian officers will not be placed at a disadvantage by reason either of the length of the course at the Academy, or of the age of entry. It will not therefore be necessary to give accelerated promotion to selected Indian officers.

PROMOTION OF INDIAN MILITARY OFFICERS TO STAFF APPOINTMENTS.

765. *Sirdar Sohan Singh: Are Government aware that there is no Indian holding a General Staff appointment? If so, what are Government doing in that line? How many Indian officers are trained for staff duties and how many more have been earmarked for it?

Mr. G. M. Young: The Honourable Member's statement is correct. The reasons are that no Indian officer holding the King's Commission has yet qualified for admission to the Staff College, and very few of such officers have the length of service necessary for appointment to a staff

post. His Excellency the Commander-in-Chief has, however, great hopes that Indian officers will qualify for the Staff College in the near future and is prepared, if necessary, to give extra nominations from time to time to those who do so.

PROMOTION OF INDIANS IN THE INDIAN MEDICAL SERVICE.

766. ***Sirdar Sohan Singh**: Is it a fact that no Indian Indian Medical Service officer has been given any administrative job such as A. D. M. S. or such like? If so, why?

Mr. G. M. Young: The answer is in the negative. I would refer the Honourable Member to the reply that I gave on the 4th November to Mr. B. Das's starred question No. 1164.

GRANT-IN-AID FOR THE GIRLS' SCHOOL IN SAUGOR CANTONMENT.

767. ***Sirdar Sohan Singh**: (a) Is it a fact that the Cantonment Authority of Saugor has no school of its own to provide primary education to the girls of that Cantonment?

(b) Are Government aware that some philanthropic people of the Cantonment started a girls' school by private enterprise?

(c) Is it a fact that the school has since been recognised by the Education Department of the Central Provinces and is imparting education to about 150 girls?

(d) Is it a fact that for some years past the Cantonment Authority of Saugor has been giving a "grant" to the school and that just at present it is paying Rs. 75 per month as a grant-in-aid?

(e) Is it a fact that the Cantonment Authority has now informed the Managing Committee of the school that, owing to retrenchment, no grant will be paid to the school from 1st April, 1932?

(f) Are Government aware that the neighbouring Municipality of Saugor is spending about 30 per cent. of its revenue over "education" and that the Cantonment Authority is not spending even one-fourth of it, on that subject?

(g) Is it a fact that the guiding principle in the matter of providing education, as accepted by Government, is that the Cantonment Authority should spend the same percentage of its revenue on "education" as the neighbouring Municipality does?

(h) Are Government aware that if the grant is withdrawn, the school will be closed and there is no other girls' school in that Cantonment?

(i) Are Government aware that the people of the Cantonment are greatly agitated over this matter and have memorialised the Southern Command on the subject?

(j) Do Government propose to issue instructions that the grant be continued to be paid till the Board starts a girls' school of its own?

Mr. G. M. Young: (a) No, Sir. Girls are taught in the old Sadar Primary School for boys, which is wholly maintained by the Cantonment Authority.

(b) A girls' school was started by some private individuals about nine years ago.

(c) Yes.

(d) Yes.

(e) Yes.

(f) Yes, but against a total expenditure on Education of about Rs. 40,000 the Municipality received about Rs. 20,000 by way of grants and fees, whereas the Cantonment Authority's receipts on account of education was only Rs. 18.

(g) The establishment and maintenance of primary schools is one of the objects for which it is the duty of a Cantonment Authority to make reasonable provision, so far as funds at its disposal permit; and it has been suggested to Cantonments that the scale of expenditure on this subject should approximate as nearly as possible to that of the neighbouring municipality.

(h) No, Sir. The school was in existence before any grant was given from Cantonment funds. There are three other girls' schools in the cantonment, including the primary school maintained by the Cantonment Authority.

(i) No, Sir.

(j) Does not arise.

Dr. Ziauddin Ahmad: Do Government give special grants to these Cantonment Boards, which are earmarked for education?

Mr. G. M. Young: Will the Honourable Member kindly repeat the question?

Dr. Ziauddin Ahmad: Do Government give special grants to these Cantonment Boards, which are earmarked for primary education?

Mr. G. M. Young: Grants are given to some cantonments which are in need of supplementary funds, but no general grant is given to all cantonments for purposes of education.

Dr. Ziauddin Ahmad: My point is, are the grants specially intended for education, or does the money to be allotted for education depend upon the voting of the Cantonment Board?

Mr. G. M. Young: Grants to cantonment authorities depend on the circumstances of individual Cantonments.

COMMERCIAL AUDIT IN GOVERNMENT FACTORIES.

768. ***Mr. M. Maswood Ahmad** (on behalf of Khan Bahadur Makhdum Syed Rajan Bakhsh Shah): (a) Is it a fact that the Commercial Audit Department has been decentralised?

(b) Is it a fact that commercial audit will now be conducted by officers of the Accountant General's Office assisted by Commercial Audit staff? Have such officers any commercial training?

(c) Is it a fact that before the introduction of the commercial audit there was a loss of more than five lakhs of rupees in one item of stock in the Metal and Steel Factory, Ishapore, and that since the introduction of the commercial system of accounts and up-to-date system of stock-taking, no such loss has occurred in any Government factory?

The Honourable Sir George Schuster: With your permission, Sir, I will deal with questions Nos. 768 and 769 together.

The Commercial Audit Branch has been decentralised. Government are obtaining certain information to enable them to reply fully to the Honourable Member's questions. Complete replies will be laid on the table in due course.

COMMERCIAL AUDIT IN GOVERNMENT FACTORIES.

†769. ***Mr. M. Maswood Ahmad** (on behalf of Khan Bahadur Makhdum Syed Rajan Bakhsh Shah): (a) Is it a fact that a loss of nearly Rs. 5 lakhs was recently revealed by commercial auditors in the purchase and subsequent condemnation of Hazara Walnut in the Rifle Factory, Ishapore?

(b) Do Government propose to see that only commercial auditors are sent to audit the commercial concerns of Government?

(c) Do Government propose to see that in the scheme of decentralisation the auditors getting less than Rs. 200 do not suffer any financial loss in the matter of their pay and allowances?

Dr. Ziauddin Ahmad: About this loss of Rs. 5 lakhs which is referred to in question No. 769, is it a fact, and what action have Government taken if it is a fact?

The Honourable Sir George Schuster: If the Honourable Member will wait until I am able to lay a full reply on the table, I trust he will get a satisfactory answer to his question.

CONTRACTS FOR UNLOADING AND STACKING COAL ON THE GREAT INDIAN PENINSULA RAILWAY.

770. ***Lieut.-Colonel Sir Henry Gidney:** (a) Will Government please state whether it is a fact:

- (i) that the Loco. contracts of unloading coal wagons, loading engines and the stacking of coal on the Great Indian Peninsula Railway together with cleaning of Loco. sheds and the clearing of ashpits are given out without asking for tenders from contractors;
- (ii) that particularly on the Bhusawal and Nagpur divisions these contracts have been the monopoly of a certain family;
- (iii) that these contractors secured these contracts at war rates and are still paid the same high rates; and
- (iv) that rates of labour now are much lower than the rates during the war?

(b) Will Government please state why this avenue of economy has not been tapped by the Great Indian Peninsula Railway?

†For answer to this question, see answer to question No. 768.

Mr. P. R. Rau: I have called for information and on receipt will lay a reply on the table.

IDLE LOCOMOTIVES OF THE GREAT INDIAN PENINSULA RAILWAY.

771. *Lieut.-Colonel Sir Henry Gidney: (a) Is it a fact that there are at present at the Loco. Depot of the Bhusawal Division of the Great Indian Peninsula Railway alone over 50 locomotives lying idle and put away in the sidings?

(b) Will Government please state what they intend to do with these idle engines? Is it a fact that there is not sufficient traffic?

Mr. P. R. Rau: (a) Government are aware that the Great Indian Peninsula Railway have a number of locomotives spare at the present time owing to the falling off in traffic. They are not aware of the number stabled on each division.

(b) Some locomotives have already been transferred from the Great Indian Peninsula Railway to other railways. Other locomotives now surplus will be stabled, until traffic improves. There is not sufficient traffic at present to give full employment to locomotives now in service.

COSTLY ELECTRIFICATION SCHEME ON THE GREAT INDIAN PENINSULA RAILWAY.

772. *Lieut.-Colonel Sir Henry Gidney: (a) Will Government please state whether it is a fact:

(i) that the introduction of the electrification scheme on the Great Indian Peninsula Railway, in the Bombay Division, has proved to be more expensive than the steam system;

(ii) that Messrs. Tata & Sons offered to supply electricity for one anna six pies per unit for this scheme; and

(iii) that at present it costs the Great Indian Peninsula Railway annas six per unit?

(b) If the answers to part (a) items (i), (ii) and (iii) are in the affirmative, will Government please state who was responsible for this unnecessary and heavy expenditure?

(c) Do Government propose to enquire into the matter? If not, why not?

Mr. P. R. Rau: (a) (i) and (c). The schemes have not been in existence long enough for any final conclusion to be arrived at; but the Railway Board propose to institute an investigation into them during the course of the next 12 months.

(a) (ii). Electricity is being supplied by Messrs. Tata & Sons for the suburban line electrification, the charge being Rs. 50 per annum per kilowatt of maximum demand in addition to a rate 0.425 anna per unit of actual consumption and subject to a minimum payment of the minimum guaranteed consumption at 0.6 anna per unit.

An offer was made by Messrs. Tata & Sons to supply current for the main line electrification on the same terms; they would, according to calculations made by the Consulting Electrical Engineers to Government, have worked out at 0.633 anna per unit.

(a) (iii). For the main line scheme the cost of supplying electricity from the Great Indian Peninsula Railway Power House was estimated to be 0.665 anna per unit dropping to 0.594 anna per unit with a 30 per cent increase in load.

The exact extent to which this estimate has been realized is at present not known definitely; but the question will form part of the investigation to be undertaken.

(b) Does not arise.

Dr. Ziauddin Ahmad: With all the figures quoted by the Honourable Member, will he be in a position to say whether the electrification scheme is a paying concern and how much per cent. it has yielded last year?

Mr. P. R. Rau: I have just informed the House that the exact extent to which the estimates have been realised is at present not known definitely, but the question will form part of the investigation to be undertaken.

INEFFECTIVENESS OF THE CREW SYSTEM OF RAILWAY TICKET CHECKING.

773. ***Lieut.-Colonel Sir Henry Gidney:** (a) Is it a fact that the crew system on the Great Indian Peninsula Railway, although it has been in force for a number of years, has not in any appreciable degree lessened the number of passengers travelling without tickets?

(b) If the answer to part (a) is in the affirmative, will Government please state why the crew system is still continued on that Railway?

Mr. P. R. Rau: (a) Government have no information as to the number of passengers detected travelling without tickets on those sections of the Great Indian Peninsula Railway where the crew system operates.

(b) The system is being continued as it provides a more intensive check than is otherwise possible and its continuance is considered desirable by the Administration.

Dr. Ziauddin Ahmad: May I ask whether the opinion given about the efficiency is the opinion of the Railway Board or the opinion of the administration of the Great Indian Peninsula Railway?

Mr. P. R. Rau: It is the opinion of the administration of the Great Indian Peninsula Railway. The Railway Board have not come to any definite opinion on the subject yet.

RETENTION OF A LARGE AND EXPENSIVE FUEL STAFF ON THE GREAT INDIAN PENINSULA RAILWAY.

774. ***Lieut.-Colonel Sir Henry Gidney:** (a) Is it a fact that the average consumption of coal used on the Great Indian Peninsula Railway locomotives has been tested and worked out to its lowest?

(b) If the answer to part (a) is in the affirmative, will Government please state the reasons for the retention of such a very large and expensive fuel staff as is at present engaged on the Great Indian Peninsula Railway?

Mr. P. R. Rau: (a) The consumption of coal by locomotives depends on a number of continually varying factors and only by close and constant supervision can the consumption be kept to a minimum.

(b) For a railway the size of the Great Indian Peninsula Railway the staff employed is neither large nor expensive, it far more than pays for its cost.

RE-AMALGAMATION OF THE COMMERCIAL AND TRANSPORTATION DEPARTMENTS OF THE GREAT INDIAN PENINSULA RAILWAY.

775. *Lieut.-Colonel Sir Henry Gidney: (a) Is it a fact that till a few years ago the Commercial and Transportation Departments of the Great Indian Peninsula Railway were jointly under the control of the General Traffic Manager of the Railway?

(b) Is it a fact that these two Departments are now separated each under different staff of officers in receipt of high salaries?

(c) Do Government propose to consider the advisability, in the interests of economy and in its present campaign of retrenchment, of re-amalgamating these two Departments? If not, why not?

Mr. P. R. Rau: (a) and (b). From 1st November 1922 the Traffic Department under a General Traffic Manager and the Locomotive Department under a Locomotive Superintendent were replaced by a Commercial Department under a Chief Traffic Manager, a Transportation Department under a Chief Transportation Superintendent and a Mechanical Department under a Chief Mechanical Engineer.

(c) I would refer the Honourable Member to the reply given to Mr. Joshi's question No. 492 on the 23rd February, 1932.

+776.

THE MOODY-WARD AND CREW SYSTEMS OF TICKET CHECKING.

777. *Shaikh Fazal Haq Piracha: With reference to the reply to question No. 230, part (d), dated the 10th February, 1932, will Government be pleased to state why the Moody-Ward system was not tried on sections where the crew system was experimented upon, as was also suggested by Dr. Ziauddin Ahmad in his letter dated the 8th May, 1931, to the Secretary, Railway Board (which has been printed in the Railway Retrenchment Sub-Committee's Report)?

Mr. P. R. Rau: The system recommended in the Moody-Ward Committee's Report is in operation now throughout the East Indian Railway, which includes the sections on which the crew system was in force.

ALLOWANCES OF TRAVELLING TICKET EXAMINERS AND OF GUARDS AND DRIVERS.

778. *Shaikh Fazal Haq Piracha: (a) With reference to the answer to question No. 1121, dated the 2nd October, 1931, in the Legislative Assembly, will Government please state in what respects the duties of the

+This question was withdrawn by the Questioner.

Travelling Ticket Examiners are less arduous than those of the guards so far as the travelling aspect of their duty is concerned for which mileage allowance is given to the running staff?

(b) Will Government please state why the Travelling Ticket Inspectors of the East Indian Railway were paid mileage allowance like the guards till they were designated as Travelling Ticket Examiners?

(c) Will Government please state if the abolition of mileage allowance to the Travelling Ticket Checkers is to effect economy? If so, why are the guards and drivers still allowed to draw mileage allowance?

(d) Will Government please state how much saving per year could be effected on the East Indian Railway alone, if the guards and drivers were given consolidated allowance in place of mileage allowance at the same rate as the T. T. Es. ?

Mr. P. R. Rau: With your permission, Sir I propose to reply to questions Nos. 778, 779, 780 and 782 together. I have called for certain information and will lay a reply on the table, in due course.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether the Government intend taking any action in regard to the question of T. T. Es. as reported on by the Court of Inquiry especially on the E. B. Railway which appears in the B List of cases cited by Court of Inquiry.

Mr. P. R. Rau: That question does not arise.

Lieut.-Colonel Sir Henry Gidney: It arises in regard to the mileage allowances, which forms part of the question under reply and is one of the serious complaints made by the T. T. Es.

Mr. P. R. Rau: I cannot understand how the question arises.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Honourable Member has said that information is being collected and will be laid on the table. How can any question arise at this stage?

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether the Railway Board (a) has really got any collection boxes, (b) where they place them and who collects information for them?

Mr. P. R. Rau: Not that I know of.

Dr. Ziauddin Ahmad: About a month ago your predecessor said on the floor of the House that he is making an inquiry from the Agents. How long are you going to wait. Will the information be supplied before we disperse?

Mr. P. R. Rau: As soon as I get the information, I will place it on the table.

APPEALS OF TRAVELLING TICKET INSPECTORS TO THE SECRETARY, RAILWAY BOARD.

†779. ***Shaikh Fazal Haq Piracha:** (a) Will Government be pleased to state if the Railway subordinates have no right of appeal to the Secretary, Railway Board, in case they feel aggrieved against any action taken by the Agent?

†For answer to this question, see answer to question No. 778.

(b) Will Government please state if the Divisional Superintendents have got the power to withhold the appeals of their subordinates sent through them but addressed to the Secretary, Railway Board, against the action of the Agent especially when they are couched in proper language and based on facts?

(c) Will Government please state what action was taken by the Railway Board authorities on the copies of the said appeals, which were sent direct by the Travelling Ticket Inspectors of the East Indian Railway to the Secretary, Railway Board?

REDUCTION IN THE SALARY OF TRAVELLING TICKET CHECKERS ON THE EAST INDIAN RAILWAY.

†780. ***Shaikh Fazal Haq Piracha**: Will Government be pleased to lay on the table a copy of the reply given if any to the letter addressed by Sir Henry Gidney to the Secretary, Railway Board, as published in the *Hindustan Times*, dated 8th July 1931, concerning reduction in the salary of the Travelling Ticket Checkers on the East Indian Railway?

TICKET CHECKING SYSTEM ON THE EAST INDIAN RAILWAY.

781. ***Shaikh Fazal Haq Piracha**: Will Government be pleased to lay on the table a copy of the reply given, if any, to the letter of Doctor Ziauddin Ahmad addressed to the Secretary, Railway Board, regarding the ticket checking system on the East Indian Railway as printed in the Railway Retrenchment Sub-Committee's Report?

Mr. P. R. Rau: The letter to the Secretary, Railway Board, does not contain the last two paras. appearing in the copy of Dr. Ziauddin Ahmad's letter, as printed on page 78 of the Railway Retrenchment Sub-Committee's Report. No reply was sent to Dr. Ziauddin.

Dr. Ziauddin Ahmad: If any Member of the Legislative Assembly addresses a letter to the Secretary of the Railway Board, is it not courtesy to acknowledge the receipt of that letter?

Mr. P. R. Rau: May I explain that? I understood from the Secretary that my Honourable friend wanted to interview Sir Alan Parsons or the Member in charge of traffic in the Railway Board on the question and a reply was postponed pending the interview.

Lieut.-Colonel Sir Henry Gidney: In regard to appeals of railway subordinates will the Honourable Member inform this House whether the Government of India intend to accept the Court of Inquiry recommendations to constitute complaints committees to be attached to each Railway Administration? If not, why not?

Mr. P. R. Rau: May I ask whether this question arises out of the main question? I should like to ask for notice of that question.

Dr. Ziauddin Ahmad: When I sent the letter to the Secretary of the Railway Board, the Secretary never acknowledged it. I spoke to him

†For answer to this question, see answer to question No. 778.

personally and he had no recollection whatever whether he received that letter, and probably the letter was never presented to him.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Honourable Member is making a statement.

POSTS OF TICKET COLLECTORS ON THE EAST INDIAN RAILWAY PROMOTED TO TRAVELLING TICKET EXAMINERS.

†782. ***Shaikh Fazal Haq Piracha:** Will Government please state if the posts of the permanent Ticket Collectors on the East Indian Railway who have been promoted as T. T. Es. have been permanently filled up or will remain open for them, if they are not confirmed as T. T. Es. and necessity arises to revert them to their substantive posts?

PASSENGER TRAFFIC RECEIPTS IN THE EAST INDIAN RAILWAY.

783. ***Shaikh Fazal Haq Piracha:** Will Government please state if the period from June, 1931 to November, 1931, was more prosperous for the East Indian Railway than the corresponding period of the previous year in respect of passenger traffic?

Mr. P. E. Rau: I presume the Honourable Member refers to the number of passengers carried and the earnings therefrom during the period. If so, the number of passengers carried from 1st June to 30th November, 1931, was 30,090,048 compared with 32,808,208 in the corresponding period of the previous year, and the earnings from the passengers carried was Rs. 2,43,87,847 compared with Rs. 2,60,29,765 in the previous year.

SUCCESS OF CANDIDATES IN SUBORDINATE ACCOUNTS SERVICE EXAMINATIONS.

784. ***Bhagat Ghandi Mal Gola:** (a) Is it a fact that the result of the subordinate accounts service examination (ordinary branch) for the year 1931 is that 7 per cent. of the candidates who appeared in the examination were successful?

(b) Is it a fact that the results of the previous years' examinations are that between 25 to 40 per cent. of the candidates passed? What is the reason for this great difference?

The Honourable Sir George Schuster: Enquiry is being made and a reply will be laid on the table in due course.

ECONOMY AND SAFETY OF ELECTRIC SUPPLY.

785. ***Rao Bahadur B. L. Patil:** (a) Has the attention of Government been drawn to the article entitled 'Electric Power Supply in India' by Prof. B. C. Chatterjee of the Benares Hindu University, in the issue of 25th February, 1932, in the *Hindustan Times*, Delhi?

(b) If so, do Government propose to undertake immediate legislation on the subject in the interests of economy and safety of the general public?

†For answer to this question, see answer to question No. 773

The Honourable Sir Joseph Bhore: (a) Yes.

(b) The attention of the Honourable Member is invited to the replies given to starred questions Nos. 4 and 683 on the 26th January and 7th March, 1932, respectively.

CONSTRUCTION OF A RAILWAY LINE BETWEEN HUBLI AND KUMPTA.

786. ***Rao Bahadur B. L. Patil:** (a) Is it a fact that the Madras and Southern Mahratta Railway were some time back contemplating the construction of a Railway line between Hubli and Kumpta or some other seaport on the west coast?

(b) If so, is it a fact that the scheme was not further proceeded with owing to financial difficulties?

(c) Are Government aware that merchants of Karnatak undergo several difficulties in their import and export trade through Marmagoa Harbour owing to the fact that their goods have to pass through the Portuguese territory?

(d) If so, are Government in a position to estimate the annual loss to the traders and business men?

(e) If not, are Government prepared to appoint an officer to report as to the total loss and the ways and means of doing away with the various difficulties?

Mr. P. R. Rau: (a) About 1920 the Madras and Southern Mahratta Railway investigated a proposal for an extension from Hubli to Sirsa; but not from Sirsa to Kumpta or other seaport.

(b) No, the investigation proved that the line would not pay.

(c) A memorial was received, asking for the construction of various lines.

(d) and (e). No.

COMMUNITIES OF NEW RECRUITS REQUIRED FOR EXTRA WORK IN THE INCOME-TAX DEPARTMENT, BOMBAY.

787. ***Rao Bahadur B. L. Patil:** (a) Will Government state how many temporary posts of Clerks, Inspectors, Examiners and Officers were filled up owing to the reduction of the taxable minimum of Income-tax in the Bombay Presidency (excluding Sindh) by Divisions?

(b) Will Government further state, by each Division in a tabulated form, how many of the new recruits are Parsis, Muhammadans, Indian Christians, Brahmins, Non-Brahmins and others; comparing the present strength with the strength of the respective communities that existed before the recruitment?

The Honourable Sir George Schuster: The information has been called for and will be laid on the table in due course.

COMMISSIONERS AND ASSISTANT COMMISSIONERS OF INCOME-TAX IN
BOMBAY.

788. ***Rao Bahadur B. L. Patil:** Will Government be pleased to state how many Commissioners and Assistant Commissioners there are in the Income-tax Department in the whole of the Bombay Presidency and to what communities they belong?

The Honourable Sir George Schuster: There is one Commissioner who is a Parsi. Of 6 Assistant Commissioners, 1 is a Mussalman, 1 an Anglo-Indian, 1 a Sikh and 3 are Parsees.

REPRESENTATION OF THE VARIOUS COMMUNITIES IN THE INCOME-TAX
DEPARTMENT, BOMBAY.

789. ***Rao Bahadur B. L. Patil:** (a) Have Government ascertained from the Commissioner of Income-tax, Bombay, whether the instructions issued by the Government of India regarding the adequate representation of the different communities obtaining in the Presidency have been followed?

(b) If so, what is the result? If not, do or do not Government think it necessary to do so?

The Honourable Sir George Schuster: (a) and (b). I invite the Honourable Member's attention to my reply to parts (b) and (c) of starred question No. 1282 relating to the recruitment of Non-Brahmins to the Income-tax Department in the Bombay Presidency that he asked on 13th November 1931. The Government do not consider that there is any necessity to supplement the somewhat exhaustive inquiries that they have already made at the Honourable Member's instance.

THE PROVINCIAL BOUNDARIES QUESTIONS.

790. ***Rao Bahadur B. L. Patil:** (a) Will Government please state whether and when the boundary question will be taken up?

(b) If the answer to part (a) be in the affirmative, will Government further state whether the subject has been included in the terms of reference of any of the Indian Round Table Conference Committees now functioning in India?

(c) If not, do Government propose to set up another Committee? And if so, when?

The Honourable Sir George Rainy: (a) For the reasons given in paragraph 21 of their constitutional despatch dated the 20th September, 1930, the Government of India do not intend at present to appoint a Boundaries Commission with general terms of reference to examine the redistribution of provincial areas.

(b) and (c). Do not arise.

†791.*

†This question has been included in the list of questions for the 15th March, 1932.

ABOLITION OF THE LOWEST SELECTION GRADE EXAMINATION IN THE POST OFFICE.

792. ***Mr. S. C. Mitra:** (a) Will Government be pleased to state whether it is a fact that they have abolished the lowest selection grade examination in the Post Office and R. M. S.?

(b) Is it a fact that in October 1931 the Director General of Posts and Telegraphs issued a circular inviting candidates to appear at the lowest selection grade examination which was to be held on the 14th and 15th March, 1932?

(c) Is it a fact that the candidates were required to purchase books at their own expense and are Government aware that they had to take leave to prepare themselves for the examination?

(d) Is it a fact that only on the 17th February, 1932 the Director General of Posts and Telegraphs issued orders that the examination would be abolished?

(e) Will Government be pleased to state whether they propose to pay compensation to the candidates who were put to extra expenditure in purchasing books and had to take leave for no purpose? If so, what compensation?

(f) Will Government be pleased further to state as to how the lowest selection grade posts will be filled up in the Post Office and Railway Mail Service?

(g) Will the senior clerks in the Department, although they have not passed the examination, get promotion in the lowest selection grade?

Mr. T. Ryan: (a) Yes.

(b) No. The circular merely notified the dates of the examination and the classes of officials to whom it would be open.

(c) No, candidates who purchased books, or took leave in preparation for the examination did so on their own initiative and in their own interests.

(d) Yes.

(e) Government do not propose to pay compensation since those candidates who purchased books or took leave, did so in their own interests.

(f) and (g). Promotions to the lowest selection grade posts in the Post Office and Railway Mail Service in the general line, i.e., excluding (i) Inspectors and Postal Divisional Head Clerks and (ii) Accountants and Assistant Accountants, will be made from the seniority list of time-scale clerks by selection based on an official's past record and known capabilities irrespective of the fact whether he has passed the lowest selection grade examination or not. Promotions to the posts of Inspectors and Postal Divisional Head Clerks will be made from the existing 'junior' passed candidates or those who pass the new Inspector's examination. The posts of Accountants and Assistant Accountants in the lowest selection grade will be filled according to seniority combined with fitness, by officials who have passed the Accountant's examination.

Dr. Ziauddin Ahmad: May I know why the examination was first announced and then abolished at such short notice?

Mr. T. Ryan: An examination was introduced in the hope that it would furnish a satisfactory means of testing the fitness of the members of the

clerical staff for promotion. It has been found in practice that it has not served that purpose and it is practically impossible to devise an examination which will serve that purpose having regard to the age and other disabilities of the men who aspire to promotion to the lowest selection grade.

Dr. Ziauddin Ahmad: What were the reasons which led the department to abolish the examination. Why were not these things considered when they announced the examination, because by this method the department loses its credit?

Mr. T. Ryan: At the time that the examination was introduced, Government were not in possession of experience which subsequently led them to reconsider the matter.

Dr. Ziauddin Ahmad: There was the whole of the Education Department at their disposal. If the Postal Department had not experience of the examination, they ought to have utilized the services of the Education Department.

Mr. T. Ryan: I do not think the Education Department would have been able to give much valuable advice in connection with a purely departmental examination of this kind.

EXAMINATION FOR APPOINTMENT OF INSPECTORS AND HEAD CLERKS OF POST OFFICES.

793. ***Mr. S. C. Mitra:** (a) Is it a fact that Government have decided to introduce an examination for appointment of Inspectors of Post Offices and R. M. S. and Head Clerks to Divisional Superintendent of Post Offices, in the Post Office and R. M. S.?

(b) If so, what will be the syllabus of examination and what will be their pay after their appointment?

(c) When will the examination be held and whether all clerks or sorters who have not exceeded 35 years of age will be eligible to appear at the examination? If not, why not?

(d) What would be the qualifications of the candidates for appearing at the above examination?

Mr. T. Ryan: (a) Yes.

(b), (c) and (d). The rules and syllabus for the examination are at present under consideration, but the introduction of an examination has nothing to do with the pay of the posts.

ALLOWANCE FOR STAFF ENGAGED IN SORTING FOREIGN MAIL IN CALCUTTA.

794. ***Mr. S. C. Mitra:** (a) Is it a fact that in Calcutta inward foreign mails are being sorted by auxiliaries drafted from several departments of the Calcutta General Post Office, and some of the town sub-offices without payment of any allowance?

(b) Is it a fact that although they are required to attend to their duties before 6-0 A.M., they do not get any conveyance allowance?

(c) Is it a fact that in Bombay and Madras inward foreign mails are sorted on payment of overtime allowance and it is only in Calcutta the payment of the allowance has almost been stopped?

(d) Is it also a fact that only about 70 clerks working in the Calcutta General Post Office, and some of the town sub-offices are required to do this work on alternate Sundays while there are many who, although they remain off duty on Sundays, have been exempted from this duty?

(e) Will Government be pleased to supply a statement showing the number of clerks who remain off duty on Sundays in (i) Bombay, (ii) Madras, (iii) Calcutta and (iv) Rangoon including their T. S. Os. and what is the total clerical strength in each of the above cities?

(f) Is it also a fact that some of the clerks, one Supervisor, one Assistant Presidency Postmaster of the Calcutta General Post Office, get overtime allowance while others work without getting any allowance? Do they work at the same time and under the same condition?

(g) Do Government propose to inquire into the matter and arrange to pay them overtime allowance as was done before in order to remove this hardship? If not, why not?

Mr. T. Ryan: (a), (b), (c), (d), (f) and (g). Information is being collected and will be placed on the table of the House in due course.

(e) Government regret that they are unable to furnish the statement called for as the labour required for its compilation would be excessive.

NUMBER AND COMMUNITIES OF STAFF IN EACH DIVISION OF THE NORTH WESTERN RAILWAY.

795. ***Mr. M. Maswood Ahmad:** Will Government be pleased to place on the table of this House a statement showing the latest available figures in regard to the number of the present staff by communities, viz., Hindus, Muslims, and Christians or Anglo-Indians holding the undermentioned posts in each Division of the North Western Railway?

- | | |
|---------------------------------------|---|
| 1. Office Supdt., Divl. Office. | 7. Hd. Clerk, Loco. Foreman's Office. |
| 2. Hd. Personnel Clerk, Divl. Office. | 8. Hd. Clerk, S. D. O.'s Office. |
| 3. Chief Controller, Divl. Office. | 9. Hd. Clerk, I. O. W.'s Office. |
| 4. Confidential Clerk, Divl. Office. | 10. Hd. Correspondence Clerk, S. M.'s Office. |
| 5. Acme Clerk, Divl. Office. | 11. Chief Goods Clerk, S. M.'s Office. |
| 6. Relg. Clerk, Divl. Office. | 12. Chief Parcel Clerk, S. M.'s Office. |

Mr. P. R. Rau: Government regret that they are not prepared to supplement with figures for individual offices the information in regard to communal representation given in the Annual Report by the Railway Board on Indian Railways.

MUSLIMS APPOINTED AS OFFICE SUPERINTENDENTS AND HEAD CLERKS ON THE NORTH WESTERN AND EAST INDIAN RAILWAYS.

796. ***Mr. M. Maswood Ahmad:** (a) Will Government please state how many Muslims have during the last 2 years, viz., 1930 and 1931, been posted permanently as Office Superintendents stating the Divisions of the North Western Railway and East Indian Railway and how many Head Clerks, stating the Branches and Divisions of the North Western Railway?

(b) Will Government please state whether these Head Clerks were merely designated as Head Clerks in the same grade which they were already holding, or whether they were given the very grade of the post which their predecessors were holding; if not, why not?

(c) What was the nationality of the predecessors of these Head Clerks?

Mr. P. E. Rau: (a) The information available shows that on the East Indian Railway 14 posts of office Superintendents and Head Clerks were held by Muslims in 1930 and 16 in 1931 and on the North Western Railway 39 in 1930 and 40 in 1931.

(b) On the East Indian Railway these Head Clerks were given the same grade as that which their predecessors held and the position in understood to be the same on the North Western Railway.

(c) Government have no information.

APPOINTMENT OF INDIANS AS SUPERINTENDENTS OF POST OFFICES IN KASHMIR.

797. ***Shaikh Sadiq Hasan:** (a) Will Government please state when the post of Superintendent of Post Offices was created in Kashmir Province?

(b) Has any Indian Superintendent ever been posted there; if not, why not?

(c) Are Government prepared to see that Indians are also posted there in future?

Mr. T. Ryan: (a) The post was created in 1897.

(b) Yes.

(c) The postings in question are made by the Postmaster-General, Punjab, and Government do not propose to interfere with his discretion as regards future postings. A copy of the Honourable Member's question and of this answer will however be sent to him.

REPORT OF THE RAILWAY COURT OF INQUIRY.

798. ***Mr. N. M. Joshi:** (a) Will Government be pleased to state on what date they received the Report of the Court of Inquiry into Railway Retrenchment?

(b) When will Government be able to publish the Report mentioned above?

The Honourable Sir Joseph Bhore: (a) On 29th February, 1932.

(b) The Report has already been published.

Mr. N. M. Joshi: May I ask what the Government propose to do in order to give effect to the recommendations of the Report?

The Honourable Sir Joseph Bhore: Sir, I think the Report is under the consideration of the Departments of the Government of India concerned at present.

Mr. N. M. Joshi: May I ask whether Government will consult the All-India Railwaymen's Federation before giving effect to the recommendations of the Report?

The Honourable Sir George Rainy: It is quite impossible for me, Sir, at this stage to say what the Government will do.

Mr. N. M. Joshi: May I ask why it is impossible?

The Honourable Sir George Rainy: Because there has not been sufficient time for the consideration of the Report.

INJUSTICE TO MUSLIMS IN THE POSTAL DEPARTMENT.

799. *Khan Bahadur H. M. Wilayatullah: (a) Has the attention of Government been drawn to the article which appeared in the daily *Hamdam* of Lucknow, dated the 29th February, 1931, page 3, column 3, under the caption "Injustice to Muslims in the Postal Department"?

(b) Is it a fact that recently there were 11 vacancies in the office of the Postmaster General, Lucknow, for which applications were invited from candidates?

(c) Is it a fact that only one Muslim who is a graduate was selected?

(d) Is it a fact that ten non-Muslim candidates were selected?

(e) Is it a fact that some of these ten candidates who were selected are non-matriculantes?

(f) Is it a fact that some of the Muslim candidates who were not selected had passed the Intermediate examination and also the examination held by the Department?

(g) If so, will Government please state why non-Muslim candidates were taken in preference to Muslim candidates who were better qualified?

The Honourable Sir Joseph Bhow: (a) to (g). Government have seen the article in question but information on the points raised by the Honourable Member is being called for and a complete reply will be placed on the table of the House in due course.

CONFIRMATION OF PROBATIONERS IN THE EAST INDIAN RAILWAY ACCOUNTS DEPARTMENT.

800. *Pandit Satyendra Nath Sen: (a) Are Government prepared to ascertain from Mr. Sankarā Iyer, late Chief Accounts Officer, East Indian Railway, at present Chief Accounts Officer, Great Indian Peninsula Railway, as to whether he gave a ruling on the eve of his transfer, to the following effect, after reviewing the case of the probationers in the East Indian Railway Accounts Department:

"What has 'Seniority List' got to do with the confirmation of the probationers? Did not the Controller of Railway Accounts tell us to confirm these probationers and treat them as supernumeraries till their final absorption in the Department"?

(b) Will the Honourable Member be pleased to state why the probationers, though they are senior to all other classes of temporary staff, are not being confirmed against existing permanent vacancies?

(c) Is the Honourable Member aware that letter No. 26-C. R. A.—E./52/8141-F., dated the 18th February, 1932, from the Controller of Railway Accounts, to the Chief Accounts Officer, East Indian Railway, on the subject of discharge of staff, was issued without regard to the provisions contained in paragraph 1 (i) of letter No. 336/C. R. A./E./30, dated the 1st November, 1930, from the same authority?

(d) If so, do Government propose either to rescind or amend the instructions conveyed in letter No. 26-C. R. A.—E./32/8141-F., dated the 18th February, 1932, cited above?

(e) If Mr. Iyer gave the above ruling, do Government propose to take suitable departmental action against those responsible for disregarding that order?

Mr. P. B. Rau: (a) No. Any note recorded by Mr. Sankara Aiyer on the subject is a purely departmental document, the contents of which Government are not prepared to make public.

(b) Government are not aware that this is the case, but are making enquiries into the matter.

(c), (d) and (e). There is no inconsistency between the two letters. In the matter of discharge, temporary staff with over 12 months' continuous service have been regarded as having equal rights with permanent employees.

UNSTARRED QUESTIONS AND ANSWERS.

APPRENTICESHIP TRAINING IN THE RIFLE FACTORY AT ISHAPORE.

167. **Mr. S. C. Mitra:** (a) Will Government be pleased to state and place on the table the particulars regarding, (i) the syllabus of the subjects, (ii) the strength of the whole-time teaching staff with their names and duties, (iii) the system of conducting examinations, and (iv) the rules and regulations under the new scheme of apprenticeship-training which is to be introduced in the Rifle Factory at Ishapore?

(b) Will Government be pleased to state how they propose to utilize the services of the three whole-time teachers for the apprentices under the new scheme of apprenticeship-training in the Rifle Factory at Ishapore?

(c) Will Government be pleased to state whether under the new scheme of apprenticeship-training the existing apprentices in the Rifle Factory at Ishapore will as well attend during factory working hours the lecture rooms and laboratories for their technical and practical training? If so, for how many hours and how those trainings are to be conducted? If not, why not?

Mr. G. M. Young: Inquiries are proceeding and replies will be laid on the table in due course.

APPRENTICESHIP TRAINING IN THE RIFLE FACTORY AT ISHAPORE.

†168. **Mr. S. C. Mitra:** (a) Will Government please state whether, in view of changing the method of apprenticeship-training in the Rifle Factory at Ishapore, they had consulted the pioneers of the present scheme of apprenticeship-training in that Factory, *viz.*:

- (i) General Atkinson, former Master General of Supply and late Principal of Roorkee Engineering College,
- (ii) Colonel Sturrock, former Director of Ordnance Factories and Manufacture,
- (iii) Major L. De. Lenfesty, C.I.E., former Superintendent, Rifle Factory, Ishapore, and now Director of Contracts (Army Headquarters, India, Simla), and
- (iv) Mr. H. I. Mathews, B.Sc., A.M.I.Mech.E., former Apprentice-in-charge in Rifle Factory, Ishapore, now Superintendent, Gun and Shell Factory at Cossipore?

(b) If the reply to part (a) be in the affirmative, what were the opinions of the respective pioneers named above?

(c) If the reply to part (a) be in the negative, will Government please state the reasons?

APPRENTICESHIP TRAINING IN THE RIFLE FACTORY AT ISHAPORE.

†169. **Mr. S. C. Mitra:** Will Government be pleased to place on the table, the last five years administrative or annual report on apprenticeship-training in the Rifle Factory at Ishapore? If not, why not?

APPRENTICESHIP TRAINING IN ORDNANCE FACTORIES.

†170. **Mr. S. C. Mitra:** (a) Is it a fact that the apprenticeship-training in the Ordnance Factories and particularly in the Rifle Factory at Ishapore was introduced in view of:

- (i) the great importance of efficiency in Ordnance Factories and for their development to full output in war time;
- (ii) the industrial development of India, and
- (iii) a development of first rate military importance?

(b) Are Government aware that the apprenticeship scheme had been emphasised in the Indian Industrial Commission's Report (Chapter X, especially paragraphs 151, 152 and Appendix IV)?

(c) Is it not a fact that the apprenticeship schemes have been in operation in the leading industrial firms in England for many years and no one questions their absolute necessity and a very efficient one has been in operation in Woolwich Arsenal (known as the Woolwich Trade Lads Scheme) since 1904?

(d) Is it not a fact that Foremen, Assistant Foremen, Draughtsmen and others are recruited from the Woolwich Arsenal and many of the Assistant Foremen in the Ordnance Factories in India have of late years been men who were Woolwich Trade Lads?

APPRENTICESHIP TRAINING IN ORDNANCE FACTORIES.

†171. **Mr. S. C. Mitra:** (a) Is it a fact that the Ordnance Factory Committee which reported in April, 1919, was under the Bengal Committee, and that it was presided over by the Honourable Sir Rajendra Nath Mookherjee?

(b) Is it a fact that the Committee suggested that the apprenticeship aimed at must in any case not be lower in nature and quality to that of the Trade Lads at Woolwich and that the Indian Ordnance Factories must maintain as high a standard as the Royal Ordnance Factories at Woolwich?

(c) If the answer to above is in the affirmative, will Government please state the reasons and justifications for their reducing the technical training in Ordnance Factories, and particularly in the Rifle Factory, Ishapore?

(d) Is it a fact that Sir R. N. Mookherjee's Committee recommended that a continuation course at Sibpur might eventually be adopted for Ordnance Factories' apprentices and that the duration of this course will be for two years so as to qualify the students for the Foremen's grade in service? If so, what steps were taken and how far was this recommendation carried out?

POSTAL INCOME AND INCREASED POSTAGE.

172. **Rai Bahadur Lala Brij Kishore:** (a) Will Government be pleased to state whether their postal income has been more or less or stationary since the increased rate came into operation, as compared with the corresponding months of the previous years?

(b) Is it a fact that since the increased postage rate came into operation the public are spending a less amount on postage than what they used to do before?

(c) If the reply to part (b) above is in the affirmative, will Government be pleased to supply to this House a monthly figure of the sale of stamps for the last six months and the figure for the corresponding months of the previous year?

Mr. T. Ryan: (a), (b) and (c). The increases in postal and telegraph rates were brought into force from various dates, and January 1932, was the first month in which all the increases were effective for an entire month. As will be seen from the accompanying statement, the postage and message revenue of the Department has been more since October, 1931 than that in the corresponding months of the last year.

Statement comparing the total postage and message revenue for the 10 months from April, 1931 to January, 1932, with that of the corresponding months of the previous year.

(Figures are in thousands of rupees).

Months.	Total postage and message revenue during 1930-31.	Total postage and message revenue during 1931-32.	Increase+ Decrease—
	Rs.	Rs.	
April	78,04	66,17	—11,87
May	76,77	66,85	—9,92
June	70,09	69,06	—1,03
July	73,52	68,35	—5,17
August	66,74	67,51	+77
September	69,03	64,27	—4,76
October	70,99	74,94	+3,95
November	66,52	70,08	+3,56
December	76,37	73,22	—3,15
January	78,11	86,96	+8,75

MOTION FOR ADJOURNMENT.

EXCESSES OF THE POLICE IN DELHI AND DESECRATION OF THE MOSQUE OF KUCHA RAHMAN.

Mr. President: Order, order. I have received a notice from Mr. Maswood Ahmad and also from Sayyid Murtuza Saheb Bahadur that they propose to ask for leave to make a motion for the adjournment of the business of the House to-day for the purpose of discussing a definite matter of urgent public importance, as follows:

“The excesses of the police in Delhi on Saturday last and the desecration of the mosque of Kucha Rahman.”

I have to inquire whether any Honourable Member has any objection to this motion.

As no objection is taken, the motion will be discussed at 4 o'clock.

ELECTION TO THE STANDING ADVISORY COMMITTEE FOR THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Mr. President: Order, order. I have to inform the Assembly that Rao Bahadur Patil has been elected to the third vacancy on the Standing Advisory Committee for the Department of Education, Health and Lands. (Cheers.)

THE GENERAL BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Order, order. The House will now proceed to take up the second stage of the consideration of the Budget—Demands for Grants. In this connection the Chair has been approached with a suggestion in which, the Chair is informed, there is general agreement of the House, that a special procedure should be adopted on this occasion. The procedure suggested is that, out of the six days which are allotted for the discussion of Demands for Grants, the first day should be allotted to the Nationalist Party, the second day to the Independent Party, half of the third day to the European Group and the other half to the United India Party, and the fourth day to those Honourable Members who do not belong to any party. The remaining two days should be devoted to economy cuts, and not to censure motions. On the days which are allotted to the respective Parties and to the unattached group, a representative of such party or group will move a cut motion raising a question of policy, and if further time is available, another cut motion will be moved on that day. In order to give effect to this suggestion, it is further proposed that the discussion of Demands for Grants should not proceed in the order as it appears on the Order Paper, but that a special Demand should be taken up out of its turn and that cut motions should be moved to it. The Chair has now to ask Honourable Members whether they are all agreed that the suggestion which I have explained to the House should be adopted for the discussion of the Demands for Grants. (Voices: “Yes, yes”.) I take it the House is unanimously agreed. (Voices: “Yes.”)

[Mr. President.]

According to this arrangement the Demand which is to be discussed is the votable grant for the Executive Council; and I would therefore ask the Honourable the Finance Member to put before the House the Demand under item 28—"Executive Council".

DEMAND No. 28—EXECUTIVE COUNCIL.

The Honourable Sir George Schuster (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 85,000 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, 1933, in respect of the 'Executive Council'."

Mr. President: I understand that the Honourable the Leader of the Nationalist Party wishes to propose a cut motion to raise the constitutional issue. I call upon him to move it.

The Constitutional Issue.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I wish to move that the Demand under the head "Executive Council" be reduced by Rs. 100 to raise the constitutional issue. Honourable Members will observe that in this connection we have to consider the two stages of the constitutional issue, the constitutional development of India under the present constitution and the constitutional development of India under the constitution to be given in the near future. As regards the constitution of the Government of India under the present constitution, I would recall to Honourable Members the epoch-making pronouncement of the 9th April, 1917, at the Imperial Conference at which we found that the assembled delegates at the Imperial Conference unanimously passed the following resolution:

"That the Imperial War Conference are of opinion that the readjustment of the constitutional relation of the component parts of the Empire is too important and intricate a subject to be dealt with during the war, and that it should form the subject of a special Imperial Conference to be summoned as soon as possible after the cessation of the hostilities.

They deem it their duty, however, to place on record their view that any such readjustment, while reserving all existing powers of self-government and complete control of domestic affairs, should be based upon a recognition of the Dominions as autonomous nations of the Imperial Commonwealth, and of India as an important portion of the same. We recognise the right of the Dominions and India to an adequate voice in foreign policy and in foreign relations and to provide effective arrangements for a continuous consultation in all important matters and for such necessary concerted action founded on consultation as the several Governments may determine."

Honourable Members will be pleased to see that this declaration made at the Imperial Conference may be resolved into three distinct parts. *First*, that it should recognise and preserve all existing powers of self-government in the Dominions wherever it exists. *Secondly*, that the readjustment should be based upon a full recognition of the Dominions as autonomous nations of an Imperial Commonwealth, and of India as an important part of the said Commonwealth. *Thirdly*, that the readjustment should recognise the right of the Dominions and of India to an adequate voice in foreign policy and in foreign relations. And a Committee was to be appointed to give effect to this declaration.

Honourable Members will thus see that so far as the Dominions were concerned, the readjustment was to recognise the autonomous character

of the Dominions, and a Committee was to be appointed for the purpose of making a readjustment. So far as India was concerned, the declaration was that India was to be an important portion of the Imperial Commonwealth, and secondly, (mark these words) that the readjustment should provide effective arrangements for continuous consultation on all important matters of common Imperial concern and for such concerted action founded on consultations the several Governments may decide. These are the two fundamental rights conceded to India by the Imperial Conference of 1917. The full effect of these rights was the subject-matter of discussion in the House of Commons on the 6th August, 1918.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Why not go back a little further?

Sir Hari Singh Gour: On the 6th August, 1918, Mr. Chamberlain, who was a member of the Imperial Conference of 1917, and who was a special member of the War Cabinet in 1918, explained as to what had been the new position of India under the Imperial Conference Resolution of the previous year. He said:

“In the light of the discussions which took place last year and this year in the Imperial War Conference, a new recognition has been given to the equality of status of India and to a right of reciprocal treatment as between the Dominions and India or Great Britain and India of their respective citizenship. In these matters within the last few years India has leaped suddenly into a place of equality with the other great dominion portions of His Majesty's Dominions and her representatives sit within them in regard to Imperial Council.”

Later on he said:

“It is but right that that great progress in Imperial status and position, that admission to partnership in the Empire for India, should be accompanied or followed, as soon as may be, by a revision of the share which Indians take in their own Government and by an effort to set them upon road which will lead them steadily forward in the paths of progress and reforms.”

Honourable Members will remember that on the 20th August, 1917, a declaration was made in the House of Commons defining the ultimate goal of British policy in India as the establishment of responsible government in this country. Now, Honourable Members will remember that the evolution of the British constitution has from time immemorial proceeded upon not only the written letter of the law, but also upon conventions, treaties, usages and practices which implement, and to a very large extent supplant, the narrow frame-work of a written constitution. That being the case, we have for the first time the recognition of India as a partner in the British Commonwealth, and certain defined rights as regards external policy and external affairs are conceded to her in her own right, and it is further declared that effective arrangements will be made for the purpose of giving India's representative an adequate voice in the determination of her foreign policy. Honourable Members will thus see that in 1918 two confluent currents were flowing in the direction of the emancipation of India, one was preceded by the declaration of Mr. Montagu in the House of Commons on 20th August, 1917, and the other took its origin at the Imperial Conference Resolution of 9th April, 1917, to which I have referred. If we really wish to understand the present constitutional character of the Government of India to be obtained from the

[Sir Hari Singh Gour.]

official documents, we cannot look at the one without the other, and when my Honourable friend Sir Cowasji Jehangir interjected a remark, "Why don't you go backward," that is exactly the lament of myself and those who think with me that the short memories of people are responsible for forgetting the advance that has already been made, and that when they went to the Round Table Conference, they suffered from that shortness of memory and completely made a clean sweep of the past and began to write upon a clean slate. (Cheers.) I shall presently point that out to the Honourable Members and to the Honourable Member who interrupted me, Sir Cowasji Jehangir, for his own satisfaction. The Honourable Member will find that when, in 1918, Mr. Montagu published his memorable Report, and in the discussion that took place in the House of Commons upon that Report, Mr. MacDonald, now the Prime Minister of England, made certain suggestions which were afterwards acceded to and which were to be regarded as a part of the conventional constitution to implement the statutory Act of Parliament enacted in 1919. Mr. MacDonald in referring to the future constitution of India said:

"It should not be a beginning,"

—that is to say the new constitution must not merely be a beginning,—

"but shall be a real substantial beginning that organisation and machinery will be created which will go by its own momentum from stage to stage, and at each stage it reaches, will carry to a fuller extent the complete ideal of self-government within the Empire."

That was to be the first condition. The second condition was:

"The Secretary of State should be in the same position as the Secretary of State for the Colonies."

Speaking on this subject, Mr. MacDonald said:

"The Secretary of State here and in fact the whole of Indian Government still retains the features of the East India Company. It has been modified from time to time but the parentage of our system is the East India Company. I would suggest to my Right Honourable friend that he should enquire as to whether the Secretary of State and the Council here are to be maintained. It is a pure anachronism, the survival of the trading company with the Court of Directors, and so on, and not at all suited to a Government Department. If my Right Honourable friend has any intention to making him a responsible Parliamentary Minister, then, I hope this House will not tolerate the existence of a Council of non-representatives and largely personally interested people."

The third point that Mr. MacDonald drew attention of the House to, was:

"I think we ought to make our minds perfectly clear that the elected sections of both provincial and Imperial Legislatures will be in the majority, to that extent we support the report, but I think there is much that we shall have to discuss in the suggestion made in the report in consequence of this, for instance this is a very simple dilemma in which such legislatures can get, you get the majority of the legislatures elected, you get the executive officials and nominees. That means you at once invite conflict. You cannot run a legislature the majority of which is elected with an executive consisting of nominated or official Members. Therefore, we ought candidly to admit that the elected majorities in the legislature must have, at any rate, a substantial representation of the legislature on the executive. There can be no half-way house in that, and the Government should openly accept it."

Later on he says:

"Show the Indians straightaway that we are trusting them and do not put them into the position of being free and irresponsible critics."

Honourable Members will find that these suggestions, made by the present Prime Minister of England, were substantially given effect to immediately on the enactment of the Act of 1919. Before that Act was enacted, the Joint Parliamentary Committee had implemented the terms of that Act by recommending—and their recommendations were declared to be read as part of the Government of India Act itself—that in the matter of fiscal autonomy, India was to possess the same right as the other self-governing Colonies of Canada, Australia and South Africa, and secondly, that in matters of purely Indian interest, where the Government of India and the Legislature were in agreement, the Secretary of State should ordinarily stand out. Therefore, when that Act was passed, Honourable Members will see what the intention of the framers of the Act and the founders of the new constitution was, that there should be a substantial dyarchy in the centre. As Mr. MacDonalld pointed out, we cannot have a responsible Legislature without that Legislature being represented on the executive. You cannot have a majority Legislature unless the two sides of the Legislature are in substantial harmony and are not brought into constant conflict. In order to harmonise the two sides of the House, it was decided that at least three Members of the Executive Council should be drawn from the Legislature, and the first three appointments to the first Executive Council formed after the first Legislative Assembly were Members of the late Imperial Legislative Council. Secondly, successive Secretaries of State have reaffirmed the convention known as the fiscal autonomy of India; and thirdly it was provided that whenever there is an agreement between the Government of India and the Legislature, the Secretary of State should stand out, and in order to enable him to do so, section 19-A of the Government of India Act was enacted for the purpose of enabling the Secretary of State to relax his control. This was the position of the Government of India in 1921. Honourable Members will thus see that the sum-total of the powers which the people of India enjoyed in 1921 was a large measure of sovereignty designated by the words "Control of India in matters of foreign policy and foreign affairs", in matters of internal administration the convention was that the Legislature should be represented upon the executive, that the Legislature should possess fiscal autonomy, and that in matters of general Indian interest where the Executive Government of India and the Legislature were in agreement, the Secretary of State should relax his control.

It is for the Honourable Members to see to what extent there has been a departure from this constitution initiated by the Act of 12 Noon. 1919. I shall deal with the two sides of the question separately. Dealing first with the newly acquired rights of India in matters of external policy and external affairs, the Resolution of the Imperial Conference was that there should be a readjustment, and that India's voice should be adequate in matters affecting her foreign policy and foreign relations. In 1922, really speaking on the 23rd March, 1922, one of us drew the attention of this House to this new international character of India established by the Conference, and we desired that in the future Conferences this House should be represented by its elected delegates. That Resolution was opposed on behalf of Government, but at the same time Government gave us an undertaking to the following effect. The then Home Member (Sir William Vincent) speaking upon the debate, at page 3635 of the Debates, dated 23rd March, 1922, said:

"For obvious reasons it is necessary for us to appoint men who will command the support of this Assembly."

[Sir Hari Singh Gour.]

That was the pledge given by the Home Member as regards the representation of the Legislative Assembly in the future Conferences of the Empire. Now Honourable Members will recall that the Conference of 1917 had recommended the establishment of a committee for the purpose of working out the purpose of the Resolution which was passed there. A committee was to have been appointed in the Imperial Conference of 1926, and in 1922, as I have said, the Honourable the Home Member had assured the House that the representative of India would be such as would command the support of the Legislative Assembly. But if we turn to the Imperial Conference proceedings of 1926, what do we find? We find that India was represented by three gentlemen, Major-General Kirk, Deputy Chief of the General Staff, Mr. H. A. F. Lindsay, the Trade Commissioner in India and the Maharajah of Burdwan. But as the last-named failed to appear, he sent his son as a Private Secretary to himself to represent India. Such was the Indian representation in the Imperial Conference of 1926, when the external rights of India were to be determined by the appointment of a committee, the result of which, as Honourable Members will presently see, has created a new situation so far as the rest of the Dominions of the British Commonwealth are concerned. But though India was represented in the manner I have described, the Imperial Conference did not omit to hark back to the Resolution, Resolution No. 9, passed in 1917. And referring to that Resolution we find at page 15 of the Imperial Conference Report of 1926 the following sentences:

"It will be noted that in the previous paragraphs we have made no mention of India. Our reason for limiting their scope to Great Britain and the Dominions is that the position of India in the Empire is already defined by the Government of India Act of 1919. We would nevertheless recall that by Resolution 9 of the Imperial War Conference of 1917 due recognition was given to the important position held by India in the British Commonwealth."

So that Honourable Members will thus see that while the question was raised as to how the committee should consider the case of India in the readjustment for which a Committee had been appointed, India was dismissed with this short statement, that the case of India had already been disposed of by the Act of 1919. But Honourable Members will find that the case of India was not disposed of by the Act of 1919 which merely dealt with questions internal to India and did not deal with questions as regards her external rights. India's case therefore went by default in the Imperial Conference of 1926. That Conference appointed a Committee presided over by Lord Balfour, and that Committee gave a decision, the result of which was enacted in an Act of Parliament known as the Statute of Westminster, passed in November last. The effect of that Act known as the Statute of Westminster is to make the Dominion Parliaments sovereign Parliaments, and to give them the right of extra-territorial legislation which they did not possess before. A very large number of Acts limiting their rights of absolute sovereignty and co-equal partnership with the mother-country were recommended for repeal, and they were then repealed or are on the eve of repeal now.

I submit, therefore, that so far as India is concerned, India's external rights have not been safeguarded in the manner they were intended to be by the Conference of 1917. Nevertheless the Conference Resolution of 1917 was not a war measure, as will be apparent from the fact that India was called upon to be a co-signatory with the other self-governing Dominions

to the Treaty of Versailles. India was admitted as a foundation member of the League of Nations in 1919, and India has been invited in her own right to attend the Imperial Conferences held from time to time; and ancillary to that India has become a member of the Washington Labour Conference. She was a party to the Labour Conference; she has been a party to the Locarno and Kellogg Pacts and various other international Conventions entered into by the self-governing Dominions and other self-governing nations that went there. My submission, therefore, is that in the eye of the constitutional lawyer the external sovereignty of India as an international State is beyond dispute, and I think it was inadvertence to the rights of external sovereignty which India has been enjoying for a decade past that Mr. Wedgwood Benn speaking from his place as Secretary of State in November, 1929, described India as a Dominion in action. More recently when the same question was troubling the mind of Mr. Winston Churchill in the memorable debate on the White Paper on the 3rd January of the present year, Mr. Churchill with all these facts passing through his mind said that India was a Dominion for ceremonial purposes. So that you have the statement by two great statesmen, one calling India a Dominion in action, and the other calling India a Dominion for ceremonial purposes.

A third intermediate place was sought to be assigned to India, namely, that though India has got the status of a Dominion, it lacks the functions of a self-governing Dominion. This aspect of the question was applied not only to India but also to the self-governing Dominions before 1926; and referring to it on page 14 I find the following passage:

“Equality of status so far as Britain and the dominions are concerned is thus the original principle governing our inter-imperial relations; but the principles of equality and similarity appropriate to status do not universally extend to functions. Here we require something more than immutable dogmas.”

The fact, therefore, is that this dissociation of the status with the functions was a matter of a lively grievance in the self-governing Colonies and that has been set at rest by the Statute of Westminster, to which I have referred. My submission is that India, so far as her external relations are concerned, has not only the theoretical attributes of a sovereign State, but those attributes have been recognised and given effect to from 1918 down to the present time. Only the other day when the question about fiscal autonomy of India was under debate and I raised this debate, the Honourable Sir George Rainy, speaking on behalf of Government, in a considered statement which he read out to the House, said that the question of fiscal autonomy, so far as India was concerned, is recognised, but the fact is that India lacks the machinery for giving effect to her rights; and then he suggested that such machinery might be set on foot by the Round Table Conference, which was then in session in London. This is a plain recognition of the fact that the attributes of sovereignty which India has enjoyed and which have been accumulating since 1917 are incapable of enjoyment without setting up an autonomous internal machinery for the self-government of India. These are the facts, therefore, which I wish to draw the attention of the House to, and I think these are the facts which must be regarded as the fundamental rights of India upon which the superstructure of the future constitution should be constructed.

But when I read the proceedings of the Round Table Conference, both the first and the second, I find no reference to any of these historic facts,

[Sir Hari Singh Gour.]

and I am not surprised at my friend Sir Cowasji Jehangir just now interrupting me, when I was dealing with the question, he having said "Why do you not go further back than 1917?" He wanted to make clean sweep of India's past, and in the Round Table Conference make a fresh contract, as if India had never acquired any rights which India claimed, and which India had been enjoying during a decade or more, as I have pointed out already. I, therefore, submit that that was an inherent weakness in the Round Table Conference. Honourable Members will, therefore, find that when Lord Reading made a statement saying that he was in favour of granting responsibility in the centre on two main conditions, one of which was that there should be an Indian Federation, and the association of the representatives of the Indian Princes in the Federal Chambers, and, secondly, there must be reservations and safeguards. When His Lordship was making that statement, I venture to submit with the utmost respect to him, that he had for the time being forgotten that so far as reservations in regard to external policy and external affairs were concerned and which he wanted under the scheme which he adumbrated in his speech, and which has since been accepted by the Round Table Conference, that had already been conceded to India in 1917, and, therefore, they could not be withdrawn, and that any constitutional development of India must recognise this fact and all that was relevant was to set up a machinery in consonance with the accepted rights which India had been enjoying during all these years. That is my first submission.

My second submission is that as regards the principle of federation with the Indian Princes, that is the second condition precedent stated by Lord Reading and accepted by the Round Table Conference. Now let us examine what that means. Reading the proceedings of the two Conferences and what has subsequently taken place, we find that the Indian Princes are sharply divided upon the question of a Federation itself; but so far as there is any agreement at all, that agreement is with a few States who want a representation and a weightage out of all proportion to their population in relation to British India.

I shall very briefly give the salient features of the conditions upon which the Indian Princes are prepared to join the Indian Federation. It was suggested that the Council of State or the Upper Chamber, as it is described in the Round Table Conference, should consist of 100 or 150 members, and the Indian Princes want a representation of a moiety, that is, fifty per cent. I understand that it has been agreed that they should get 40 per cent. there. The second point is that the Indian Princes demand, and it has been agreed to, that the representation of the Indian Princes both in the Council of State and the Federal Assembly shall be the representation of the rulers and the States, in other words, the Governments of the States and not of the States themselves, including the Government and the people; and the third point that they have made very clear is that a federal contact between the two Indias shall be only upon subjects of common interest to be categorised and enumerated in the constitution. And lastly, which is very important, that their relation to the Crown and their treaties must remain in other respects inviolate. These are the conditions upon which the Indian Princes are prepared, at any rate some of them, to come into the Indian Federation. So far as the Federal Assembly is concerned, it is recommended that it should

consist of about 250 or 300 members, and that the Indian Princes should have representation of $33 \frac{1}{3}$ per cent.; that is, one-third. On a population basis they are entitled only to 23·8 per cent. of representation in either House. Now, if that were all, that would be sufficiently disquieting, but the Indian Princes demand, and their demand has been conceded, that the executive, that is to say, the ministry shall be only removable by the two-third votes of the two Houses in a joint session, which means that the ministry cannot be removed unless the Princes' representatives in the two Houses agree to its being turned out.

Then it has been said that there will be representatives of the Indian Princes in the two Houses who should have a voice not only in matters affecting the two Indias, but also in matters of domestic concern, and what is most important is, and it has been expressly laid down, that where a vote of no-confidence is moved against a ministry even on a matter of purely British Indian interest even then the rule of two-thirds in which the Indian States will participate would apply. This is very briefly the constitution of the two Houses and the power of the executive; but that is not all. Apart from the Princes' block, of which Lord Reading made no secret, that it would act as a steadying influence upon the activities of the two Legislatures, we have a very large number of reservations and safeguards besides Defence and Foreign and Political Relations.

Only the other day we had to deal with the question of a Statutory Railway Board. That is the first reservation or safeguard, added to which we have reservations as regards finance, currency and exchange and commercial discrimination. So that, what is left after these reservations and safeguards Honourable Members can easily see, and even that residue would be subject to the control of the Indian Princes, where they will have large weightage, and the ministry would be irremovable except upon the joint vote of the two Houses in which the Princes' representatives will take part. But that is not all. At the present moment this House has got the sole right of voting supplies, but in the new constitution we are told that this should be a power given to both the Houses. I do not wish to give Honourable Members of this House other details far too numerous for discussion in a popular Chamber, but I rest content by saying that if the future development of the Indian constitution is to depend upon this conception of federation of the Indian India and British India, I despair of its success. Honourable Members will see that, so far as the Indian Princes are concerned, they have taken no part in being parties to the declaration of fundamental rights; they have taken no part at all in safeguarding good internal government within their own States; they have absolutely emphasised that, so far as their treaty rights are concerned, so far as their relations to the Crown are concerned, they must remain inviolate. Consequently, while at the present moment this Assembly is in conflict with the British Crown, I foresee in the near future under the new constitution that would be established on the lines I have indicated a struggle in British India not only with the Crown, but also with the representatives of the Indian States. Thus, while British India has now a hard struggle, having to fight with the British Indian Government alone how much more difficult it will be for her if she is confronted with the Crown and her allies, the Indian Princes.

[Sir Hari Singh Gour.]

Such, then, Sir, is the prospect that we see before us in the fruition of a new constitution. I was reading the other day, and I have no doubt that Honourable Members must have done the same, that while some Princes are prepared to come into this constitution upon their own terms, other Princes are not at all willing to fall into line with the rest. The result is that the question of federation is receding more and more into the background, and people in British India are feeling apprehensive that if the question of federation is a condition precedent to the evolution of reforms, the question of the development of a self-governing constitution for British India might be unduly delayed. Therefore, what we desire to impress upon the Government is, that whatever may be the question as regards the federation of the two Indias, the British Cabinet should immediately take in hand the question of the future constitution of British India, and that is the line along which Honourable Members will find the States of Central and Western Indias have combined and formulated a scheme. They say, let Government come into closer contact with Indian India through the medium of a Council of united India in which matters of common interest will be debated and discussed. Well, Sir, whatever may be the point of contact between the two Indias, what we on this side desire is that the future constitution of India should no longer be delayed.

The second point to which I wish to draw the attention of Honourable Members is that it was stated by the Prime Minister in his speech on the 19th January, at the close of the first conference, that he would not wait for the coming into force of the new constitution but that he would see if he could not introduce changes immediately in the administration of India in consultation with persons possessing administrative experience. That pronouncement was made more than a year ago, but I am sorry to find that no such advance has yet been made, which makes me fear that even a temporary advance being so long delayed, the future constitution of this country might perhaps be relegated to the Greek kalends. I, therefore, submit that, whatever may be the advantages of an all-India Federation, we on this side of the House should impress on the Government the desirability of losing no time in setting on foot such constitutional changes as were forecasted by the present Prime Minister in the speech to which I have referred. I further submit that no time should be lost in launching a new constitution for British India and providing therein a machinery for bringing into contact the two Indias, if and when possible. That, in short, is the demand that I wish to make, and I hope that the House will support me. (Applause.)

Dr. F. X. DeSouza (Nominated Non-Official): Sir, in rising to address the House on the constitutional question raised by the Leader of the Nationalist Party, I wish to confine my remarks as far as possible to the history of the Round Table Conference from its inception up to the present time and the possibilities of a solution of the present crisis. When the future historian of the constitutional development of this country writes about the progress of free institutions in this land, I venture to submit that he will have to record that the history of the Round Table Conference has been a tragedy of errors. It took its origin in the blunder of a great English statesman, who did not realise that a self-respecting India would refuse to accept a constitution unless some representative Indians were

associated in the Statutory Commission and which was to frame that constitution. The all white Simon Commission which he sent out, marched through the country amid scenes of disorder and civil disobedience, amid scenes of non-co-operation, till then unexampled in the history of India. It is true that the caravan passed and the dogs barked, but when the caravan reached home, it had no other merchandise to offer to its master at the India Office than a still born document in the shape of the Simon Report. The dogs that barked took to themselves the credit that it was their loud barking that made this document still born. I have called this document still born, because the Government of the day who sent out the Commission consigned it to oblivion. Even the very authors of that document refused to mention it in public. It was not even given a decent burial; it was consigned to the dust bin.

When attempts were made by the Labour Government to rectify the error which its predecessor had committed in selecting the representatives of the Simon Commission, misfortune seems to have dogged their steps in making the selection; for who were the men who were sent out to represent India at the Round Table Conference? Men of eminence no doubt in their respective walks of life, but men who, unfortunately, turned out to be die-hards in communal matters, men who believed in the policy of *fortiter in re* without cultivating the art of *suaviter in modo* (Mr. A. H. Ghuznavi: "Does it include Mr. Gandhi also?") (An Honourable Member: "He was talking of the first stage.")

Sir, what are the results of the two sittings of the Indian Round Table Conference? The whole world was watching its progress, but it revealed scenes of discord and disunion which were probably unexampled in the history of conferences which had assembled for the purpose of framing a constitution for a great country. After a labour of two sittings, it succeeded in giving birth to two monsters. The first monster was the Minority Pact. (Lieut.-Colonel Sir Henry Gidney: "Question.") What is this Minority Pact? A combination of the most heterogenous elements that it is possible to put together (Hear, hear), a combination of Europeans, Anglo-Indians, Indian Christians, Mussalmans, and Depressed Classes. Is there a common bond of unions between these people who formed this Minority Pact? Is there any common working plan possible between such heterogenous elements? (An Honourable Member: "Minority is the bond") The only common bond, so far as I can see, between the framers of this Minority Pact is the fear of the Hindus. (Lieut.-Colonel Sir Henry Gidney: "Not a bit.") Can a pact established on hatred, on fear of the majority community, ever work in peace? Was it constituted for the purpose of working a peaceful constitution, or was it established for the purpose of creating and perpetuating disunion in the country for ever and ever? Sir, I read the other day of a happy family consisting of a tiger, a monkey, a dog, and a cat. (An Honourable Member: "Who is who?") At one time persons who kept animals were rather proud of the different types they could bring together in a cage. The happy family drew people to zoological gardens or to the circus, but a happy family of the kind I have described, which constituted the Minority Pact, outside a circus or a zoological garden, seems to me to be entirely impracticable. We have heard of the lamb and the lion lying down together. They lie together only in story books, and in real life I think the place of the lamb is inside the lion. (Laughter.) That, unfortunately, happens to be the position in which the community to which I belong finds itself in this Minority,

[Dr. F. X. DeSouza.]

Pact. (*An Honourable Member*: "What is that community?") I will tell you,—I belong to the Indian Christian community, a community which numbers nearly six million people according to the last census,—the third largest in India. (*An Honourable Member*: "Fourth largest.") If you look at the table of representation provided for this Indian Christian community

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): You admit that the depressed classes have gone away from your cage and family.

Dr. F. X. DeSouza: You will find that the Indian Christian community is to be represented as follows. While there are 4 representatives in the Upper Chamber for Europeans numbering about 120,000, one representative for Anglo-Indians numbering about 160,000 I think, and 6 representatives for the Sikhs numbering about 2½ millions, there is only one representative for the Indian Christian community numbering six millions.

Mr. N. M. Joshi (Nominated Non-Official): What was your Pannirselvam doing?

Dr. F. X. DeSouza: If the lamb wishes to live with the lion, its only place is inside the lion, and Mr. Pannirselvam found himself inside the lion. (*An Honourable Member*: "What about Buddhists and Parsis?") Take the Lower Chamber. The Europeans numbering 120,000 have 12 representatives in that Chamber, Anglo-Indians get 3 and Sikhs 10 and the Indian Christians have 7 representatives with a population of 6 millions. (*An Honourable Member*: "How many have you got now?") Christians in this Assembly have only one nominated representative, owing to the difficulty in forming a constituency for a community which is scattered all over India.

Now, I proceed to the provinces and Bombay is the province with which I am best acquainted. In the City of Bombay and the City of Karachi, which forms part of the Bombay Presidency, there is a large influential and educated Indian Christian community. Honourable Members familiar with Bombay cannot deny that. What is the representation provided by this minority pact for the Indian Christian community in the Bombay Legislature? The total population, according to the latest census of Indian Christians in the Bombay Presidency, is more than 300,000. The proportion of literacy, taking not only primary, but also secondary and higher education, is more than 60 per cent., and the number of representatives provided is just 2 out of a total number of 200. Is it possible to speak with moderation of a pact which allows such iniquities to be perpetrated in its name?

I said that the second Round Table Conference gave birth to two monsters. One was the Minority Pact and the second was the federation between British India and Indian India, on which my Honourable friend the Leader of the Nationalist Party descanted with such eloquence. Is it possible to form a working federation between extreme autoeracy and extreme democracy? As was pointed out by Lord Reading himself in the course of his speeches at the Round Table Conference, previous history has shown that when extremes of this kind federate together, unless there is great tact and discretion, the result probably in the long run will be a civil war between the two federating elements, or if there is no civil war,

a complete subjection of the one by the other, and Heaven help British India when it is confronted with the possibility of a conflict with Indian India. Sir, this is the result of the second Round Table Conference.

Now, various committees such as the Franchise Committee, the Federal Finance Committee and the States Committee are scouring the length and breadth of the country as a preparation for the third sitting of the Round Table Conference and the dogs continue barking, while the caravan shows signs of shedding some of its important elements. My Honourable friend the Leader of the Opposition said that the Princes of Western India are gradually realising what the implications of the proposed Federation may be and are showing signs of restiveness. Again a large proportion of the Moslems of India have said that as it is impossible to settle the communal question, they would leave it to the British Government to settle it and will accept its verdict.

Sir Abdullah Suhrawardy (Burdwan and Presidency Divisions: Muhammadan-Rural): The Moslems never said that they would accept the verdict of the British Government.

Dr. F. X. DeSouza: Anyhow they submitted the matter to the arbitration of the British Government. Until that is done, they refuse to co-operate with the working of the Round Table constitution. Now what is the other side of the picture? We find that the Congress has declared open war with the Government established by law and the Government established by law has no other alternative but to bring all its powers to bear on crushing this movement. Sir, the Government is at war with the country, that is the condition of things we see today. Disorder prevails everywhere. Those who do not sympathise with the Congress are in a state of deep and sullen discontent on account of the delay in promulgating the reforms. We live under Ordinance Raj and *lathi* Raj. I entreat the British Government with all the force at my command not to wait till the Round Table Conference prepares its report to inaugurate the new constitution. Their report will not represent the voice of United India; because the leaders of the intelligentsia are never behind prison bars. It will necessarily take a long time before the conflicting interests are reconciled by agreement. In the circumstances I think the country will accept a constitution framed by the British Government. The country has great confidence in the Premier. The British Government has already decided how far it will go. With all the emphasis at my command, I ask the British Government to give us that constitution soon and put an end to this repression, the sullen discontent and disorder and then only will there be peace in the country.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): Sir, I had no desire to intervene in this debate, but the remarks made just now by my Honourable friend Dr. DeSouza have compelled me to speak. Sir, I listened to the very eloquent discourse of the Leader of the Opposition on this motion. I noticed not with much difficulty evidence of a personal element, showing a strong conflict between appointment and disappointment. I have no doubt that the Honourable Member is very very disappointed; he was not a member of the Round Table Conference, and I found no difficulty in discerning in his speech a note of personal disappointment that he was not on this Committee.

Sir Hari Singh Gour: On a point of order. Is the Honourable Member in order in ascribing to any speaker a personal motive, namely, that his views are tainted by the fact that he was not appointed to the Round Table Conference. It is a personal reflection.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Chair holds the view that it is unparliamentary to attribute personal motives to Honourable Members.

Lieut.-Colonel Sir Henry Gidney: The intention of my observation was not a personal motive, but it may have been a personal gain. Apart from his eloquence

Sir Hari Singh Gour: I rise to a point of order, Sir. My friend has now aggravated the position; instead of calling it a personal "motive", he said it was a personal "gain".

Lieut.-Colonel Sir Henry Gidney: Sir, I really used the word "gain", *i.e.*, "political gain"—I did not mean "personal gain" or "personal aggrandisement", but political gain, *i.e.*, connected with his leadership of the Nationalistic Party. I never meant anything personal.

Mr. President: The Honourable Member will have to choose his words properly.

Lieut.-Colonel Sir Henry Gidney: Thank you, Sir.

Mr. President: Honourable Members are here not for any personal gain.

Lieut.-Colonel Sir Henry Gidney: I am sorry I have been misunderstood, I shall be more careful, Sir. Apart from the remarks made by the Honourable the Leader of the Opposition in which he seemed to me to ridicule—to use a very mild word—the whole of the activities of the Round Table Conference and the assistance rendered to it by the Government of India and the Simon Commission, he seemed to think that he alone has the perquisite of intelligence and to him alone has been given the ability of constitution-making. I think some other Members on the Opposite Benches are also suffering very badly from that obsession, but I see that their numbers are today added to by my friend, Dr. DeSouza. Dr. DeSouza I am sure initiated this discussion, for one main reason with which I am in entire accord and sympathy. This reason being, he considers the representation of Indian Christians agreed upon in the Minority Pact to be inadequate. I certainly have every sympathy with him, and I wholeheartedly support him in his complaint. But does Dr. DeSouza realise that in presenting this point of view he is condemning not only this Minority Pact but his own representative Mr. Pamir Selvam? Sir, that Minority Pact, in my opinion, was the principal constructive work of a practical nature that the Round Table Conference did. (Hear, hear.) Sir, the Simon Commission's Report is supposed to have been shelved. Honourable Members however will not be surprised to hear that the Simon Report is very much alive and still holds the field, and that it is the most exhaustive, the only authentic and the only reliable document in the field, despite the satirical remarks made against

it by the Leader of the Opposition,—and may I say, Sir, it is the only document that is today being seriously considered by all schools of political thought even including Sir Hari Singh Gour. (Hear, hear.) Sir, the Honourable Member was a member of the Indian Central Committee but he is remarkably silent on that Report. Why? I would like to know what his opinions were on the anticipated and suggested conference while he was on that Committee and in the confidence of the Simon Commission. Has he forgotten that? Did he not as a member of the I. C. Committee co-operate with the Simon Commission, and was not the Round Table Conference the outcome of its Report? Did he in his Indian Central Committee Report object to the creation of a Round Table Conference? Let him answer that question to this House. Anyhow we have had two Round Table Conferences and each one has made its Report. The Minority Pact that was presented to the last Round Table Conference was a pact to which some minority communities were driven by the attitude of that much-respected leader of the Congress Party, Mahatma Gandhi. (Hear, hear.) Sir, it was Mahatma Gandhi who drove these minorities to this pact. Had it not been for his stubborn and, to my mind, illogical refusal to recognize the rights of certain minorities, we would never have made that pact, holy or unholy, acceptable or unacceptable as it may seem to my Honourable friend, Sir Hari Singh Gour, and other Members of this House. The puzzle to my mind was while Mahatma Gandhi was prepared to recognise the communal rights of Muslims and Sikhs and Hindus in those Provinces in which they are in the minority, he refused this to depressed classes, Indian Christians, Europeans, Anglo-Indians and others. Indeed it was this mental somersault that converted the last scene before the curtain fell on the stage of the final Plenary Session of the second Round Table Conference into a tragedy—or shall I call it a comedy—may be “final enactment” would be a better description. Sir, let me try and tell this House how I visualised that last scene. On the one side of a gulf dividing the two sets of players, I felt I could see the revered Mahatma Gandhi, clothed in the garb of—let me say—Emperor Chandra Gupta, and close by his side were his Lieutenants Pandit Malaviya and Dr. Moonje, the latter clothed in the shredded raiments of Shivajee. Not far from his side was discernible the doughty Sikh champion, the worthy shadow of Ranjit Singh. On the other side of the gulf I could see the other set of players led by His Highness the Aga Khan, himself clothed in the garb of Aurangzeb and huddled around him were the minorities driven by Mr. Gandhi to his side for succour and help. Between these sets of actors as they played their game of political chess—my friend Sir Hari Singh Gour would prefer to call it “political bluff”. I saw the Prime Minister of England with his two Lieutenants, the Lord Chancellor and the Secretary of State for India occupying the position of Referee or Umpire. While the Mahatma held the Queen piece and the Aga Khan operated the King piece, we the minorities were represented on that board in the shape of pawns. But as the game progressed the holder of the Queen piece, Mahatma Gandhi, refused to play with the pawns and as these pawns declined to play or remain on the board and so decided to enter into a pact among themselves—in other words to play their own game without the Mahatma. But the most unfortunate part of this game was that Mahatma Gandhi who I said held the Queen piece and His Highness the Aga Khan who held the King piece, instead of mating with each other, expended their tactics and energies to checkmate each other, and the final result was that the Minority Pact with His

[Sir Henry Gidney.]

Highness the Aga Khan was formed, and in that pact was included the representative of Dr. DeSouza's community Mr. Pamir Selvam. Unfortunately for us there was a schism in the Indian Christian community, one member representing the Roman Catholics joined the Pact while the other representing the Protestants did not do so and that was the reason why there was a division in their ranks. Dr. DeSouza in his criticisms certainly does not pay any compliment to his representative on the Round Table Conference, on the contrary he tries to discredit his efforts. It was Dr. DeSouza's duty holding the views he does to have held meetings in the country and to have cabled his demands to his representative in England on the Round Table Conference. Had he done so, I am sure Mr. Pamir Selvam and the Minority Pact would have been influenced and guided (Hear, hear), but to complain now is hardly playing the game. Sir, I tell this House that this Minority Pact is no humbug. This Pact is going to stand, and I confidently hope that my Moslem brothers will support me in my statement. (*Voices*: "Yes.") Sir, I take this occasion to thank the Muslim Group at the Round Table Conference some of whom are in this Honourable House today, for their steadfast loyalty to the other minorities. They refused to be tempted by the clever baits that were offered them by Mahatma Gandhi and others in London to desert us and they stood by their word of honour, and they stood by the pact. All honour and credit to them, but let us not relax the intentions of this Pact, let us strengthen and cement it. After all, what has that Pact done? That Pact has shown to the British Nation as also to India that there is a body of people totalling one hundred and sixty millions, more than one-third of India's total population, including Indian Christians, which my friend, Dr. DeSouza, said is the third largest community in India, but which I think is the fourth largest,—thus: Hindus, Muslims, Depressed Classes and Indian Christians

Dr. F. X. DeSouza: The Depressed Classes are included among the Hindus?

Lieut.-Colonel Sir Henry Gidney: The Depressed Classes are a separate community and have demanded separation from Hindus so they are the third largest community. I repeat that the Minority Pact represented one hundred and sixty millions of people, who demand that their voice be heard by the rest of India and who will see that their voice is listened to, despite being called a monster by Dr. DeSouza. This House will yet know the power of that monster. That child was neither a monster nor anything that Dr. DeSouza might describe it, and I want him to appreciate that the Indian Christians go to form part of that monster. Sir, I was very sorry to hear Dr. DeSouza call into question the representative character of the delegates who constituted the Round Table Conference. Sir, on the floor of this House I flatly contradict that charge—I submit the Round Table Conference was fully representative of all communities and political parties in India. If Dr. DeSouza still thinks otherwise I call upon him or any Member of this Honourable House to answer me: Was Mahatma Gandhi the sole representative in the Round Table Conference of the Congress? Can anyone in this House deny that? If he does, let him say who else was considered by the Congress as its sole or additional representative? Indeed that Party would have no other voice but that of Mahatma Gandhi's to represent them at the Round Table

Conference. That is question No. 1, answered against Dr. DeSouza's charge. Next, will anyone deny that the late revered Sir Muhammad Shafi and His Highness the Aga Khan and such stalwarts as Mr. Ghuznavi and Mr. Fazal Huq from Bengal and Dr. Shafaat Ahmad were representative of the Muslims? I hear no denial not even from Dr. DeSouza and so question No. 2 is answered. Again, will any one deny that Sir Ali Imam was the elected representative of National Muslims?

1 P.M. Will he deny that Sir Tej Bahadur Sapru was a most efficient representative of the Liberal Party?

Mr. N. M. Joshi: Sir Tej Bahadur Sapru is not a Liberal; he himself has stated that publicly.

Lieut.-Colonel Sir Henry Gidney: I am not anxious to know Mr. Joshi's opinion as to whether Sir Tej Bahadur Sapru is a Liberal or a Labourite, but this much I do know that the representative of labour in this House is not only not Liberal in his Labours but he never fails to belabour the illiberality of his news on opinions expressed against him. I ask was not the Right Honourable Mr. Srinivasa Sastri the representative of the Madras Liberal school of thought? Was not Sir C. P. Aiyar also the representative of Madras Liberals? Was not Sir A. Patro the representative of his community? Was not Dr. Moonje the representative of the Hindu Mahasabha? Was not Sir Hubert Carr the representative of the European community in India and Sir Cowasji Jehangir one of the leading representatives of his community and the Liberal Party? And last but not least, was not Feudatory India truly represented by the Indian Princes who attended the Round Table Conference? Does Dr. DeSouza or this House need any further proof of the truly representative character of the Round Table Conference. I ask how can any one in this House say that the Round Table Conference was not truly representative of all the representative political thoughts and parties in India including Mahatma Gandhi. For any one to turn round now and say that that Conference was not representative of India is an insult to the representatives who were there and also to those associations and bodies who were consulted by His Excellency the Viceroy and in response to whose invitation they submitted certain names for his selection. The Round Table Conference was certainly a representative body. As to whether that body was successful in the achievement of a Federation or a Confederation in India, is quite a different matter. But this much I must say it is wholly wrong for any Honourable Member in this House more especially on the part of Dr. DeSouza to stand up today and say that the Round Table Conference was not a representative body.

Dr. F. X. DeSouza: I rise on a point of personal explanation, Sir. I did not say that, although I might have said that, they were not representatives of the people. What I did say was that the leaders who attended the Round Table Conference were men who, however eminent they may have been, were not elected by the nation.

Lieut.-Colonel Sir Henry Gidney: I am very glad to have his amplification but it makes Dr. DeSouza's position more awkward and untenable. The fact remains that he did say that the Round Table Conference was not representative of India, surely it was not because Dr. DeSouza did not represent his community there. Why should he at this time decry

[Sir Henry Gidney.]

his own representative who joined us in the Minority Pact? Sir, Dr. DeSouza concluded his remarks by saying "Withdraw the round table". Sir, it was not a round table; it was an oval-shaped table and goodness knows what shape it will be when the Conference meets for the third time. May be, should Dr. DeSouza and Sir Hari Singh Gour be representatives at the next Conference, the table will be shapeless. (Laughter.) Does Dr. DeSouza want to put the Report of the Conference into the dustbin as the Mover said had been the fate of the Report of the Simon Commission? Remember there are many valuable things found in dustbins. He said that he did not want reforms. Then, what does he want? Does he want the Indian Central Committee's Report to be accepted?

Mr. President: Order, order. The Honourable Member is addressing the Honourable Member (Dr. DeSouza) directly; he ought to address the Chair.

Lieut. Colonel Sir Henry Gidney: If he does want that report, then the only gift India will receive as a measure of reform will be a Supreme Court for India which has become the baby of the Leader of the Nationalist Party. Does he seriously mean this House to believe that Indians will accept a constitution framed by the Prime Minister and the British Government? Surely, nobody on the opposite side will join with him in this request. If that is to satisfy Indian aspirations, then there would be no need for this Assembly and no need for this cut motion of Sir Hari Singh Gour. Sir, there has been a lot of idle talk and there has been a lot of nonsense talked about the composition and achievements of the Round Table Conference and when one stops to enquire who the critics are, it is found that these complaints generally emanate from those who were not represented on it. Those who criticise this Round Table Conference must realise that the delegates went there with a full purpose and determination to serve India; if they have not been able to complete their task, it is not entirely their fault. It is the result of an accumulation of various matters, particularly the unsettled communal problem. No one deplores that unsettled condition more than I do, for I consider it to be the foundation stone on which the future constitution of India can be framed. Without that foundation stone well and truly laid, no structure, no new India, can be built. It is admitted that that was one of the chief reasons why the Round Table Conference could not come to any final conclusion. But, Sir, even if the Conference has not come to a final decision on all points, if the Princes are still unsettled on the question of a Federal India, if responsibility in the centre is still in the balance, if finance and defence are still reserved subjects and if Paramountcy of Power is still to be retained in the Crown in perpetuity and lastly even if minorities are still unsatisfied, none will deny that if we did not come to a settled plan we brought back to India, a plan for settlement which the present committees are trying to settle. And this House is certainly the proper place for this settlement to be discussed. I can assure the House that no gain will be achieved if we indulge in such criticisms at this late hour as to the representative character of the members of the Round Table Conference. Let us stop this bickering and together set to work to gain for India her goal on constitutional lines. The Minority Pact is out to achieve this end with your help or without it, but let us all work together to attain this end.

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

The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President in the Chair.

Mr. N. M. Joshi: The Honourable the Leader of the Nationalist Party made a fairly long speech. But I must confess that I do not know still what is his main point. His speech did not raise any definite issue. He did not tell us what his constructive proposals were for the future constitution of India. He began by giving us a bit of history, commencing from 1917. He told us that the Imperial Conferences had already recognised the claim of India as an independent Dominion. Then he told us that Mr. Churchill states that India is a Dominion for ceremonial purposes. He also quoted from Mr. Wedgewood Benn, saying that India is a Dominion in action. But my own view is that India is not a Dominion only for ceremonial purposes, nor a Dominion to-day really in action. India to-day is growing into a Dominion. The Round Table Conference was intended to mark the stage which India should reach immediately towards that goal. The Leader of the Nationalist Party made a complaint that the Round Table Conference had forgotten the previous history of the case and that the Conference should have insisted upon India being made really and truly a Dominion immediately. The Honourable Member was a Member of what is called the Central Committee. As a member of that Committee I thought he would have put forward proposals which would convert India immediately into a Dominion. But I found he did nothing of the sort. I was therefore much disappointed with his speech. It is quite true that the Round Table Conference did not contain a good representation of the Legislative Assembly. I myself feel that that was a very great defect of the personnel of the Round Table Conference. At the same time it is not true that the Conference was not really a representative body. We would have all preferred a larger representation of the Legislature. Although that is a defect, yet that defect is not so serious that we should allow people to challenge the representative character of that Conference. The Round Table Conference had proposed a Federation for India. I am one of those who feel that the proposed Federation is not a perfect one. It may not even deserve the name of a Federation. The proposed Federation does not even provide for a common citizenship for the whole of India. Indian States are insisting that their citizens should be only citizens of the respective States and they should not acquire by the States joining the Federation a common citizenship; even after the Federation, Indians from British India will not have a right to move into an Indian State as citizens of the Federation. They will have no right to acquire property in an Indian State by right of common citizenship. There will be no common criminal law nor common civil law for the Federation. It is quite clear therefore that a Federation of this kind is not a perfect one. The Honourable the Leader of the Nationalist Party stated that, although some Indian States were ready to join the Federation, many of the States were now trying to back out, or at least many of them were hesitating to join the Federation. I do not know why the Indian States should at all hesitate to come into the Federation. What do they stand to lose thereby? If you study the proposals which are adumbrated for this Federation, you will find that the Indian States do not propose to give up the slightest power which they at present possess. There is not a single proposal which is placed before the Round Table Conference or accepted by the Conference which will deprive the Indian States of any functions which they are at present performing. Secondly, the Indian

[Mr. N. M. Joshi.]

States do not propose to sacrifice even a bit of the revenue which they are at present collecting. They do not sacrifice any power or function, but on the other hand the proposals for Federation are such that the Indian States are going to get representation in the Federal Legislature and also in the Federal Executive. The Indian States are also asking for the retrocession of their territories, the retrocession of certain revenues and also jurisdiction. Under these circumstances, I do not know why the Indian States should be at all hesitating; on the contrary they should be very glad that they are going to get power over British India, and if you go into details you will find that, although railways are going to be made Federal, it is the British Indian Railways which are to be Federal, and if the Indian States possess any railways, they are to be State railways. It is the British Indian Post Offices which are to be Federal; if there are any Post Offices maintained by the Indian States, they are to be controlled by the Indian States themselves. It is the British Indian currency which is going to be Federal. If any Indian State has its own currency, that currency is going to be controlled by that State. It is the British Indian revenue on Customs which is going to be federalised, if any Indian State possesses Customs revenue, that State, I am told, is to be compensated for the loss of that revenue. Under these circumstances, I do not know why the Indian States should at all hesitate. It is true that we hear in newspapers that certain States, especially those States which have got ports, are making a noise, that they do not propose to join the Federation. The reason is obvious; they get revenue from Customs, and they want to negotiate with British India for compensation for that revenue. If they at once say that they would join the Federation, their hands will be weakened. They are in a very strong position and they are placed in that strong position by the Britishers and by the Government of India or at least by the British Government. It is the British Government and the representatives of the British Parliament that stated that there will be no central responsibility in British India or in India unless the Indian States join in the Federation. That has given the Indian States the strongest position. They feel that there cannot be any constitutional reforms in British India unless the States agree to join. Under these circumstances it is quite natural that the States should dictate their terms to us. They have dictated their terms, and we under pressure and perhaps under difficulty have accepted, or at least some of us have accepted, because there is absolutely no other way.

Mr. President, the Honourable the Leader of the Nationalist Party also went into certain other details, such as the representation of Indian States in the Federal Legislature. I quite agree with him that the Indian States are asking for representation in the Federal Legislature much more than they deserve, and there were voices raised in the Federal Structure Committee against the grant of that representation, and that question has not yet been finally settled. Then he also mentioned several other details of the constitution, such as, that no ministry should be dismissed unless a vote of a two-thirds majority is carried against it. I myself do not agree with such a proposal. If a ministry cannot have a majority in the House, it cannot remain in power if it has got self-respect, and to attempt to keep a ministry in power unless there is a two-thirds majority against it really means that you are going to get a ministry which has absolutely no self-respect, because that ministry will not be able to carry its legislation in the House. That Ministry will not be able to get the supplies which it

wants. Then, Sir, he also mentioned one or two other details into which I do not wish to go.

My Honourable friend Dr. DeSouza raised the question of the minorities pact. I do not wish to go into the details of that pact. I quite agree with him that the Indian Christians have been let down in that pact, but that is not the object with which I am referring to it. I refer to the minorities pact for this reason, that that pact makes no sound proposal for the representation of the working classes. They make one proposal in that pact about the representation of various interests which perhaps in their view includes the labour interests. Their proposal is that each community, Mussalmans, Europeans, depressed classes and Anglo-Indians, should provide for their own workers as they like. Mr. President, this is not a statement which is likely to please either the Hindu or the Mussalman or the Anglo-Indian or the depressed class workers. In the first place if you accept the proposition that each community must provide for the representation of its workers, then I myself feel and many workers including Hindus and Mussalmans feel, that their ranks are bound to be divided. Whatever the middle classes and the richer classes may desire, the working classes in India—and I speak in the name of the working classes, both Mussalmans and Hindus—do not want their ranks to be divided. We are at present working very harmoniously in our trade union movement. We have no differences as regards religion, because we do not recognise any religion in our economic questions. Mr. President, we feel that if we try to secure representation by various communities, our ranks will be divided. I feel that the representation of the working classes in the Legislature is a very valuable right for the working classes. But if you ask me to make a choice between having representation in the Legislatures and having the ranks of the working classes divided, I shall have no hesitation in stating that I shall rather sacrifice representation in the Legislatures rather than have the working class movement divided into Hindus and Mussalmans. Mr. President, that is the defect of the minorities pact. I quite agree that so far the work of the Round Table Conference has not yet been completed and there are still several defects. But we all stand for the work of that Round Table Conference for one reason, and that reason is this. The time has gone by when the present constitution can work satisfactorily. The present Government of India can only carry on its work by means of Ordinances, and I am sure the Government of India themselves will agree that a constitution in which the Government have to carry on their ordinary work by Ordinances is not a constitution that is fit to last even for a day. We therefore feel that a Federation, which may be even imperfect, is acceptable to the present constitution and to the present Government of India. We want a change in the constitution. We shall be quite glad if we get a constitution which is very satisfactory to us, but even if we cannot get a constitution which is very satisfactory to us, we want a constitution which will make a change in our present Government of India. We know this Government of India cannot last even for a day. It can only function by Ordinances, and therefore although the Federation is an imperfect Federation, we will have to accept that Federation.

Mr. President, there is only one word more which I want to say. I have stated very clearly that the present Government of India can only function by Ordinances and it is a wrong thing. It is perhaps an unpleasant thing for them that they should continue in existence hereafter. Therefore the best thing which the present Government of India and the

[Mr. N. M. Joshi.]

British Government can do is to bring the new constitution into existence without any delay. Let there be no delay in the work of the committees; let there be no delay caused by any other matter, such as the decision on the communal question. Let these things be done immediately and let the new constitution be heralded in without the least delay. Mr. President, I have done.

Sir Abdur Rahim (Calcutta and Suburbs: Muhammadan Urban): Mr. President, I am in agreement with a great deal of what was said by the last speaker, who is himself a member of the Round Table Conference. He recognises that the Legislature in this country should be allowed an opportunity to express its views on the momentous constitutional questions pending decision. But if I could understand the drift of Sir Henry Gidney's speech, he seemed to resent any expression of views on the work of the Round Table Conference at all. Sir, I am rather surprised that a well-known Member of this Assembly should question the right of the Assembly to express its views and to criticise the proceedings of the Round Table Conference. The whole future of the Government in India is in the melting pot, including the fate of this Legislature and other Legislatures throughout the country. That being so, it is inconceivable to me why a proper opportunity should not have been allowed to us to express our views on the issues now pending for legislation. Sir, after every sitting of the Round Table Conference, an opportunity was afforded to the British Parliament to debate on the proceedings of that Conference. The proceedings of the two Conferences affect us far more intimately than they do Great Britain, and yet the Legislatures of this country have not been afforded a proper opportunity to discuss these questions. One should have expected that the Government would take the earliest opportunity after each sitting of the Conference to place the proceedings before this House and invite discussion on the views expressed in those Conferences. That not having been done, the only course left for us was to avail ourselves of such opportunity as discussion of the Budget affords. It is not the same thing. In these discussions it is possible that we shall not hear the views of the Government of India. They might take up an attitude saying, "The whole matter has passed from our hands; it is in the hands of the British Government and the British Parliament and we have no concern with it. Therefore this Legislative Assembly has no real concern with it". I do not know whether any members of the Government of India will take part in this discussion. Probably not. If not, we shall not know what their views are on the issues which are agitating the country.

I am not one of those who seek to criticise the personnel of the Round Table Conference, but I say it was unjust on the part of Sir Henry Gidney to suggest motives to the Honourable the Leader of the Nationalist Party. I hold it was wrong on his part, because he must remember that on the break-up of the first Conference, we welcomed the delegates here in this House, and we did our best to help them in their further deliberations. The Conference, however, has reached a stage when it is necessary for us, and we find it extremely desirable in the interests of the country, that we should make a review of the proceedings of these Conferences and express our opinion on the subject.

Many of us at the end of the First Round Table Conference, when there was a debate in this House, had doubts, grave doubts as to some

of the proposals, the tentative proposals that were made then. But we suppressed those doubts and encouraged the members of the Round Table Conference to the best of our powers to go on with the deliberations and evolve a satisfactory constitution for the country. Since then, however, I am constrained to say no further progress has been made by the Conference. This is not my opinion alone; it is the opinion of everybody that I have talked to; it is the opinion of the Prime Minister and the Secretary of State themselves. In the Second Round Table Conference all that has been done on the important issues before it was to repeat the declaration that was made on the previous occasion by the Prime Minister. No definite conclusions have been reached on any of the important issues. When I heard Sir Henry Gidney—I was listening to him with great attention—I thought he would tell us what had been the decisions of the Conference on the important questions that have been raised, the more salient points that have been considered there. I remember well that the Prime Minister, when he spoke in Parliament on the results of the first Conference, said more than once that everything was provisional; even now everything remains provisional. That is the position. I think the Secretary of State, Sir Samuel Hoare, made it quite clear in his speech in Parliament that no definite conclusions had been reached. If something happens, something else will happen. That is to say, if an all-India Federation is brought about, if a practical scheme can be worked out in that direction, then there will be some responsibility in the centre; but not otherwise. The matter is left there. Then a number of Committees have come out to India and are touring the country—the Franchise Committee, the States Inquiry Committee, the Consultative Committee, the Federal Finance Committee and so on. From what we have been able to gather from such reports of the proceedings of these Committees as have been published, there does not seem to have been any agreed decision arrived at on any of the important questions that were being considered by the Consultative Committee, which I believe is the most important Committee of all. On all important questions there has been no agreement and the matter has been left for the decision of His Majesty's Government. There seems to be some sort of general idea that the only possible solution of the constitutional position is to have an all-India federation, a federation of what is known as British India with what is called Indian India, that is, the India ruled by the Ruling Princes and Chiefs.

Now, I wish to remind the House of the fact, that the constitutional inquiry which began with the appointment of the Simon Commission was held under a section of the Government of India Act, section 84A, which applies only to British India, and the terms of reference as well as the directions contained in that section referred only to the need for a constitution for British India. That was the entire scope of the inquiry as contemplated in section 84A of the Government of India Act. I do not wish to read it; every Honourable Member is aware of and familiar with the provisions of that section. It is to find out how far the people of British India have advanced in education and in other ways to be able to carry on a responsible Government in the country. If that were found in the negative, that is against them, then there is an alternative also suggested, namely, to restrict responsible Government in India. It was on that basis, and with those terms of reference, that the Simon Commission came out and toured India for two years, and with the help of the Central

[Sir Abdur Rahim.]

Committee and other subsidiary and auxiliary committees, they made a report. Whether that Report has been thrown into the wastepaper basket or not, as suggested by one Honourable Member, or it is still a live thing, as Sir Henry Gidney says, I am not concerned with that. But that is the only Report now before the British Government as regards the inquiry that was held under section 84A of the Government of India Act. We know how this Round Table Conference was brought about. When the Simon Commission was appointed, most of the prominent politicians protested against its composition, because it excluded all Indians from that body. There was a boycott of the Commission, and the Congress of course refused to take any part in it. Then after the Report was made, it was considered desirable by the British Government—I take it on the advice of Lord Irwin and the Government of India—that there should be a Round Table Conference. It was at that stage, for some reason or other, that the Princes were also included in the Conference. The Conference was held in London. The deliberations were followed by us with intense interest, and I must admit I was one of those whose imagination was seized by the proposal of an All-India Federation at that stage. Sir, we thought, at least I thought, that what was meant was that the future Government of this country was to be handed over to the Princes and the people of British India and that there would be no further control of the British Parliament over the government of this country. That was why a very large number of us, if not all, were inclined to welcome the idea. It was in a tentative stage, but even then we welcomed the idea, because it was worthwhile exploring whether it was possible to have such a constitution.

The second Conference in which Mr. Gandhi represented the Congress was to come to grips with the definite issues involved in the idea of an All-India Federation. Sir, I am not concerned with what part Mr. Gandhi took, whether he was justified in taking up the attitude that he did, whether that led to the failure of the second Conference, or even whether the second Conference was generally a failure or not, I am not concerned with all that; but what I say is this, that no definite conclusions were arrived at on the important questions. That was the position at the second Conference, and we know how Mr. Gandhi was induced to take part in the second Conference, the Irwin-Gandhi pact and so on. When the second Conference was over, immediately afterwards Ordinances, the nature, character and the scope of which have been discussed in this House, were issued. Those Ordinances are still in operation, and I believe to-day we shall hear something of their operation in the city of Delhi itself. It is in these circumstances that the constitution is being made. What is the result? I do say, so far as this country is concerned, the whole political atmosphere has become unreal, and vital constitutional issues are being considered by the Committees now in India in a very unreal atmosphere. Even this House has ceased to take itself seriously in the matter, not because it is not as keenly interested as ever in the future of the country, but because every one of us feels that it is idle for us to make any suggestions or to discuss anything; everything will be decided over our heads, and whatever we may say will be utterly ignored, perhaps ignored with contempt.

Now, Sir, Mr. Joshi, who was a Member of the Conference, and is perfectly familiar with its proceedings, far more familiar than we outsiders

can be, has pointed out the difficulties in the way of a Federation. He says the attitude of the Princes or those who represent the Indian India is, "You give us power over British India and we shall retain our power over our own territories and you shall not interfere with the administration of our territories". That is shortly the position which Mr. Joshi has so graphically described just now. I for one am not opposed to the Princes taking part in our future Government, if I am convinced that their participation in that Government will redound to the good of India and will help us to advance. The question is whether we can entertain any such hope or whether a constitution such as is contemplated by some Princes or by some representatives of the Indian States is workable at all.

Now, Sir, there are three parties in the constitution, that is, the people of British India themselves, into whose future inquiry is being held under the Government of India Act, the Indian States, and last but not the least, the British Government and the British people. Let us take the position as it exists, the actual facts and the realities of the position with reference to what is called British India and the Indian States. We and our ancestors have been living for 150 years and more under British rule. That means we have been governed by a people used to Parliamentary institutions imbued with democratic instincts, and since the inauguration of British rule in India, they have been taking pains to spread Western education and, to some extent, Western institutions. Every one of us from our childhood has been used to these institutions which have been grafted on British India from the West, and we have been accustomed to what is called the rule of law. There can be no doubt, whatever our differences may be with the representatives of the British

3 P.M. people here, we must admit that we have become so accustomed to British institutions, to European institutions, which are mainly of a democratic character, that it would be impossible to expect us now to change our mentality and to go back. What about the Indian States? Their government is government by personal rule. The people have no voice in that government. It is the ruler who is the source of all law, the head of the administration; he can do anything he likes. Under such a system of government of close personal rule,—I am not decrying the character of that rule at all—no politics can grow, and I do say without fear of any challenge that in no Indian State is there any such thing as politics,—even any newspapers. I know some of the bigger States, but whether the people there are contented or not, they have no political life whatever. Thus, there are two diametrically opposed systems, institutions, mentalities, and I ask with all earnestness, is it possible to work them together under one Government as it is proposed? I do not know what will happen, but I am certain of this, that in the immediate future the utmost confusion will prevail. You cannot bring together such diverse and opposed elements, and retaining their character intact, amalgamate them into one Government. If it were proposed on one side or the other, "We are going to change the nature of our Government, the nature of the institutions in which we have been brought up and to which we are accustomed and bring it into line with the other side", then I could understand that there was a chance of approach, a chance of amalgamation. But no. I do not think any of the representatives of British India has been asked, "Are you willing to introduce an element of autocracy in the Government to which your affairs will in future be subjected?". But the Princes have made their position quite clear,—that

[Sir Abdur Rahim.]

they will retain intact, unaffected in any way, their internal sovereignty, which means personal rule. If they are going to introduce any changes in their own territories, that they say is no concern of ours, that is, of the people of British India. They will do what they like. Therefore there is no real intention on the part of either party to approach the other and to devise something midway between autocratic rule and democratic Government. We want to travel along the path of democracy, as we have been doing for so long. I do not want to give up an iota of my liberty; on the other hand, we want further development of liberty of person and property, rights of association and meeting, and development of political life in the country. Have the Princes shown any inclination to allow political life to grow in their own territories? So far as I have read the proceedings, they have not. Then, what do they claim? They claim one-third of the representation in the Lower House, half or at least 40 per cent. in the Upper Chamber, and they further claim representation in the executive. They want, as has been pointed out by Mr. Joshi himself, that at least two-thirds majority must support a vote of no confidence before any ministry goes out. I ask—there are many Members here who are familiar with the working of the constitution which we have now in the provinces under diarchy,—whether it is possible under those circumstances to change any ministry. The ministry will be an irremovable one just like the Government of the present day.

Now, Sir, let us examine their case a little more closely. One-third, the Princes want in the Lower Chamber. The Muhammadans of British India as well as the Indian States—I do not know whether the Muhammadans of Indian States had any voice except through their rulers in the deliberations of the Round Table Conference, but the Muhammadans, as we all know, want one-third of the seats. What is left? Two-thirds are gone. One-third is left. It is something ridiculous. It cannot be accepted by anybody. And you cannot work it. I challenge any one to work out a definite constitution on that basis. As regards the executive, they must be assured of representation in the executive, by Act or convention, I do not know which. There will be two divisions of subjects, federal as well as central,—central concerning British Indian provinces, because so far as the Indian States are concerned they will be the concern of the rulers themselves, we shall have nothing to do with them. Now, supposing that the members of the future Legislature wanted to move a vote of no confidence in the ministry on a central subject, the Princes or their representatives will have a vote. May I know why? How can they have any vote? And mind you, they must have a vote; otherwise, joint responsibility that is bargained for disappears. But we, in British India, will have no voice at all in the administration of the Indian States. Supposing the members of the future Legislature wanted to agitate on any important question of policy regarding customs, railways, courts, all-India finance, and they wanted to influence the votes of the representatives of the Princes. Will they be allowed to go into their territory and agitate there? I am sure they will not. No Prince will allow that. Now, is that the sort of arrangement which you expect the people will accept? No doubt you are hearing no voice now. All voices have been stifled. The Congress, who have been the most vocal people in the country, their voice has been removed. The Legislature is left with matters which are of very little importance and their voice is of

little account. But the thousands of Congress people will not be in jail for ever, and the temper even of moderates like ourselves may not be always the same as it is. Anyway when the constitution is framed, it has to be worked, and then is it going to be worked in the atmosphere of Ordinances? Surely the Ordinances will have to be removed. There will be freedom of expression then. I do not know who started this idea of an all-India Federation. I have tried to ascertain this from many friends, but no one has been able to give me that information. It was sprung upon the country all at once when the first Round Table Conference met and speeches were delivered there. I do not say that it is not an alluring idea. Some day or other, it may materialise, but at present when the Conference is faced with these difficulties, I do not see that any answer has been given, and I do not know whether there could be any agreement on these outstanding questions.

Then, I come to the third factor in the constitution that is the British people as represented by the European community here. Naturally they are anxious from their point of view to have as many safeguards as possible. It is proposed that the Governor General, not the Governor General in Council, is to have special powers, not merely emergency powers, but special powers in addition. What these special powers will be have not been defined. We know to some extent what the emergency powers are. Those powers are to be retained. That is the proposal. Then there must be financial safeguards, and the Viceroy is to have power for borrowing to save the credit of the country by balancing the Budget and so on. The question of balancing the Budget has been before us, and we know how Budgets are now balanced. The Viceroy is to retain special powers to balance the Budget. We cannot be trusted with these tasks. We are not a responsible people. We have no stake in the country, but the Princes undoubtedly have. Why cannot they be trusted? They cannot be trusted either. Then there are to be reserved subjects. These will be defence and foreign relations. So you have three distinct classes of subjects, Federal and Central subjects, reserved subjects and special powers of the Governor General. We all know how difficult it has been for us to work diarchy. What is going to be the name of this new constitution—triarchy? (*An Honourable Member*: "Anarchy.") Whether it is triarchy or anarchy, whatever the name, this is the constitution which is propounded and foreshadowed. Who can work that? I should like to know how many Honourable Members are here who can boldly say that they are equal to the task. Then, Sir, what about the relation of the Princes to the Crown or what is called the question of paramountcy. From the very first day of the Round Table Conference, the Princes have been very loudly protesting against the paramountcy of the Crown being interfered with. What is the meaning of that? The paramountcy of the Crown, as I understand it, is exercised through the Political Department. I should have liked some of the Princes to tell me whether they are so fond of the Political Department that they do not want to part with it. On the other hand I have heard in private conversations that that is the very first thing they desire to get rid of. That is not in the proceedings of the Conference. If that sort of paramountcy is not to be retained, then the British Government must be prepared to remove all their Residents and Political Agents. Are they going to do that, and do Government really think it is in the interests of the people of those States that Residents and Political Agents should be removed

[Sir Abdur Rahim.]

altogether or their powers should be taken away though vested in the Viceroy? If it is vested in the Viceroy, it must necessarily be exercised by the Secretariat of the Department concerned through agents. Now, has that question been fully and properly considered at the Conference, and has any conclusion been reached? Supposing the Princes remain under the paramountcy of the Crown under the same conditions as now, and they nominated one-third of their representatives in the Lower House and 40 per cent. in the Upper House. Will not those nominees be at the beck and call first of all of the Princes, or rather of their ministers, and then of the Political Department? Who will ultimately prevail, we all know. The Princes may profess not to know. What is the difference between that and the present system of diarchy? As a matter of fact we are better off now. We have many quarrels with Honourable Members opposite, but at any rate we deal with men whom we know, with whom we have been dealing, who have been working in British India and whom we can tell face to face what we think of them. Under such a system as is envisaged, where will be the possibility of all that? I venture to assert that a system like that will be much worse, Sir, than the present. (Hear, hear.) Mr. Joshi thinks it will be good for the Princes. I am afraid I cannot agree with him. It will not be good for the Princes either. The Princes will be plunged into a struggle of which it is very difficult to see the end. The result really will be, as I have been saying, that there will be confusion all over the country. No constitution like that can be worked smoothly, and the enactors of the Government of India Act of 1919—the British Parliament—were wise enough to confine their attention to British India alone, because British India alone has been progressing along certain lines, and what we want is the natural development of the way in which we have been going. Mr. Joshi asked, what is the constructive proposal? To my mind, Sir, the constructive proposal is perfectly clear. Legislate first for British India. I am aware there are a number of common subjects—subjects in which the Princes are interested and will continue to be interested. They are being dealt with now, I take it, by the Government of India mainly in the Political Department. Some disputes arise but I have heard of arbitrations which led to satisfactory settlement of those disputes. Why must we change all that? Why plunge into darkness? Cannot we proceed along these lines? Have a constitution for British India; then have a Council if you like where representatives of the Chamber of Princes, and the Legislative Assembly of the future will meet and discuss and try to come to an understanding. If they cannot, the further course would be quite easy; you would leave the ultimate decision to the Supreme Court, or to the Viceroy if you like; I have no objection to that. Sir, that is the easy way and that is what was suggested, I imagine, by the Simon Commission; and I understand that there is a very large body of Princes, I think of Central India and Kathiawar and the Western States, who are searching for a solution along those lines. If you do that, there ought to be very little difficulty. At any rate what I do submit is that a search for a constitution on the lines which have been suggested at the Conference is not likely to lead to any fruitful results. We have already wasted a considerable time over these constitutional deliberations. The Simon Commission started I think some time in 1927. Lakhs and lakhs of the country's money have been spent. There were two Conferences. A number of Committees have come out. Sir, you know what the net

result has been on the country. There has been unrest, agitation, intense agitation. Why? Because no decision has been arrived at. The sooner you can arrive at a decision, the better undoubtedly will it be for all the parties. (Hear, hear.) I submit one proposition. Let the constitution be as simple as possible. Do not introduce unnecessary complications into it. If you do that, then the constitution will work, and nobody's real interests will be injured.

This leads me to the question of responsibility at the centre. I think everyone is convinced that, without some responsibility at the centre, the constitution really cannot work. If you say, "Have fully autonomous provinces, but leave the centre, the Central Government, absolutely irresponsible—let the responsibility at the centre rest only in the hands of officials without any responsibility to the Indian Legislature", then I say it cannot work. We know the present state of things, and that will be the state of things in the future.

Now what are the difficulties from the British point of view? Let us see that. Defence, we are all agreed, should be a reserved subject until the Army is Indianised substantially, which must necessarily take time. Then foreign and political relations will be a reserved subject. We do not quarrel with that. Then what remains? Finance. Undoubtedly that is a very important subject; and unless finance is made responsible and unless the Legislature has the final say in all questions of finance affecting the country, then in that case the same difficulties as we are now experiencing will go on. Sir, as regards safeguards, I do not think any definite proposals have been made; if we knew what were the definite points on which safeguards are wanted, and if we found that on those points the interests of the country would not be injured by these safeguards, that those safeguards would not hamper the future development of the country, then in that case there would be no difficulty for us in accepting such safeguards; but if it be proposed that the financial safeguards must be such that on all important questions—for instance, currency and exchange—the Legislature will have no voice or no effective voice, that the economic development of the country must wait and must take the second place so that the commercial interests of Great Britain in India may have the upper hand, if it is the idea that there is a conflict between the commercial interests of Great Britain and the economic development of India, then in that case it would be very difficult for us to accept such safeguards. But I do not think for one moment that there is any real inconsistency between British commercial and trade interests and the economic development of India. If you frame and conceive your safeguards in that spirit, you will have our fullest support. Such a constitution as I have just suggested may still of course be objected to on the ground that there will be dyarchy. But that cannot be helped at this stage; but make the rules such that dyarchy can be worked as smoothly as possible. No doubt it will have ultimately to give way to one uniform system of government at the centre: you must be prepared for that. By that time experience during which this dyarchy has lasted will be available to you. Now I wish to put it to my Indian friends at the Round Table Conference and point out that the real reason why they accepted an all-India federation was that, without it, there would be no responsibility at the centre. I want them to take their courage in both hands and point out to the British people that there is no sense in this.

[Sir Abdur Rahim.]

Why put in these restrictions, limitations and conditions? Supposing, for instance, the subjects of Education, Health and Industries, which are now in the hands of Indians, are made responsible to the Legislature, is there any danger of the system not being worked properly or that the Government will not be stable? I submit all such fears are groundless. Sir, I must make it perfectly clear in concluding that I am not one of those who think that nothing good has come out of the British connection or that we want to cut off the British connection. I have never said that and never thought of it. I do think that it would be disastrous for the country if there be a sudden disruption. It must end in confusion and anarchy. But short of that, people must be allowed to advance along the path on which they have been advancing, and India must have a proper status, and the only status possible for India is that of a Dominion, the most important Dominion in the British Empire.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I do not propose to speak for more than a very few minutes. Honourable Members will no doubt realise that on this particular cut it is not possible for any Member of the Government to adopt the usual procedure and to deal *seriatim* with the various arguments and views advanced. I do not know whether the House will recall that, when the proceedings of the first Round Table Conference were under consideration last year on a motion, which I moved myself, that the Parliamentary papers laid on the table regarding the Round Table Conference be taken into consideration. I compared myself to the local magnate who starts a foot-ball match by kicking off, and having said so much I sat down.

Whether I am on this occasion more like the referee who blows the whistle at the end of the game, I cannot say, but at any rate, I have not had the honour of initiating this discussion.

I was a little surprised that my Honourable friend the Leader of the Independent Party complained that the House had had no opportunity for discussion because I remember very well that last year we were approached on the subject by the Benches opposite. In the first instance the late Mr. Roy moved a Resolution that the papers be laid on the table. When on behalf of the Government I at once agreed that that should be done, it was then settled by mutual agreement that there should be a discussion on the motion of which I have just reminded the House. But, I do not recollect that this year anybody put down any Resolution on this subject, or that I was formally approached from any quarter of the House and asked to allot time. I do not know that any practical inconvenience arises from the fact that the matter has been brought up on the estimates; because last year it was found, on the whole, the best course to discuss the matter on a colourless motion which has much the same effect as a token cut.

I have listened, Sir, with great interest to the discussion which we have heard. I was a little bewildered, I must say, by the speech of the Honourable the Mover, because after he had entered rather fully into the history of the subject, I was left, like my Honourable friend Mr. Joshi, completely at a loss to know exactly what the practical plan was which he recommended for the consideration of the House. That speech was followed before lunch by—I will not call it an altercation—but a certain exchange of compliments between the Anglo-Indian lion and the Indian-Christian

lamb. I am glad to say that their intercourse did not end in the absorption of the lamb by the lion, and I hope that it may prove a good augury for the relations of the two communities in India in the future constitution.

I will certainly undertake that the discussions which have taken place will be conveyed to His Majesty's Government. I wish to make it clear that there is no desire on the part of the Government of India in any way to strangle discussion on this subject, and we recognise that this House is fully entitled to discuss it. But, I will also add this that when, after the Honourable the Mover sat down this morning, an interval of 30 seconds passed before any Member rose to follow him, I began to doubt whether the House was quite as anxious to discuss the question as at one time I had supposed it to be. That, Sir, I think, concludes all that I can usefully say, and I repeat my promise that today's proceedings will be forwarded to His Majesty's Government for their consideration.

Sir Gowasji Jehangir: Mr. President, lest it may be said that nobody got up within 30 seconds, I rise to do so, although I had no intention of speaking. Mr. President, my friend the Leader of the Nationalist Party who introduced this motion gave us past history and I was rather surprised to see empty benches to listen to his words of wisdom.

Mr. N. M. Joshi: Why surprised!

Sir Gowasji Jehangir: Well, Sir, the sum-total of his criticism in the beginning was that everyone, including Lord Reading, could not have been acquainted with the past constitutional history of India since at least 1917, for if they were, the history of the last two years would have been written differently. Personally, I can only express my regret that my Honourable friend was not a member of the Round Table Conference and that according to his own version we should have had a constitution by now, or even perhaps a year ago. Whether that constitution would have lasted for himself to bless today, I am very doubtful. But leaving that aside, there has been considerable, and, I may say rather unnecessary, criticism of the work done for the last two years. My friend, Dr. DeSouza, said that it had brought forth two monsters. One was the Minority Pact, but he does not seem to realise that that Minority Pact had nothing directly to do with the Conference. It was an arrangement made by certain members of the Conference outside the Conference. He went on to explain why he called it a monster. It was a monster because his own community had not got the lion's share. Well, Sir, I call that rather exaggerated language to describe an agreement as a monster because he does not happen to have the share he expected. Then he criticised the representative character of the delegates of the Round Table Conference. We all know that they were nominated by His Majesty's Government. Nobody has ever pretended or contended that it was anything else. But, I understand that my Honourable friend represents the Indian Christians in this House. Has he been elected? He is a nominated Member, and with all the strength and emphasis in his power he claims to represent the Indian Christians in this House to-day. Considering his own position, I think he might have reflected a little more before he called into question the representative character of the Round Table Conference.

Dr. F. X. DeSouza: May I point out that it was not the representative character that I called into question, but really their method of work. So far as I remember that was what I said.

Sir Cowasji Jehangir: What he really said was different. His memory is a little faulty. He said the Members to the Round Table Conference were not elected, nor is he to this House. I venture to suggest that he might have treated the real representatives of his community who were at the Conference with a little more respect. I further venture to suggest that if he had been an elected Member he might have spoken with some justification.

Dr. F. X. DeSouza: I said nothing in derogation of anything that had been done by the representative of my community at the Conference. All I said was that he was helpless like a lamb in the presence of lions. He was a victim of *force majeure*.

Sir Cowasji Jehangir: But what he did imply was that the representative of his community let him down. Let that pass.

What was it that the Conference accomplished on the second occasion? I quite realise, and no one realises more than those who were present, that on the whole we might have been able to accomplish more than we did. We fully realise, and I think every one realises, that no definite conclusions were arrived at. But the great difference between the first Conference and the second Conference was that at the first Conference the policy laid down was the policy of His Majesty's Government, which was after all, although His Majesty's Government, in a minority in the House of Commons. The second year saw that policy of advance confirmed by the House of Commons with a huge majority of Conservatives and that was the main achievement of the second Conference.

Let me once more revert to my Honourable friend Dr. DeSouza to illustrate a point. He said let the Government carry out their policy. They have told us how far they are prepared to go. Now, let them go ahead and frame a constitution without further consultation with the people of India, and he made bold to say that the people of India would accept it. What authority had he to say that? But the point that I want to make out from that statement is that had it not been for the Round Table Conference, His Majesty's Government would never have had an opportunity, would never have been able to lay down a policy for India, would never have been able to announce how far they were prepared to go, and how far they were not. That was the gain and that was what was accomplished by the second Round Table Conference.

It may be that the restrictions and the reservations they have laid down may not be acceptable to all of us, but one would imagine from the speeches delivered here that the chapter had been closed. The financial safeguards are still under consideration. Even the question of the Federation is under consideration. I have no doubt that when two men sit opposite to each other to settle an important matter in which both are interested, they do not always lay all their cards on the table. We know that the Indian Princes have made certain demands, we also know that the representatives of British India have contested those demands. I am not going into details, but I must say that the chapter is not closed. We have not got an Upper and a Lower House with a huge majority of men

whom we will not trust. We have not yet got an Upper and Lower House with 40 per cent. and 30 per cent. Indian Princes' representatives. All that is being considered. There will be time enough, but until we refuse to concede those demands and until we continue to point out, and our arguments are being heard, that such a House would not be fair to British India, I think my Honourable friends may hold their souls in patience for a little longer. We fully realise that one-third representation of my friends, the Muhammadans, and one-third representation of the Indian Princes will leave very little for us who happen to be after all in the majority.

An Honourable Member: But are you in the majority?

Sir Cowasji Jehangir: Yes, I am in the majority. Surely it did not require anybody here to remind us of that very unfair position. But we have not yet, as far as I know, conceded those demands. I trust that our friends in the Committees will see that they will not agree to any constitution which on the face of it will be unworkable. But as my Honourable friend Mr. Joshi pointed out that rather than continue to live in a land which is governed by Ordinances and which looks as if it is going to be continued to be ruled by Ordinances, it is worth taking a little risk here and there to get a new constitution as soon as possible.

I realise that time is flying, and there are so many more questions that have been referred to which would really require a reply. But I am not going to undertake that task. All I can say is that the problem before the country is not an easy one, and if the scheme of Federation has great attractions and is being studied because it has great attractions, that study is justified, because you are never going to get a real self-governing India unless you have a Federation; and I do not know how many Honourable Members of this House realise that without a Federation in India, you can never hope to get control over your fighting forces,—over the Army. It is only with a Federation, that there can in the future be a prospect of this House having control over the Army. And if for nothing else, is it not worthwhile trying to persevere to get a constitution—may be 10 years or 15 years or even 50 years hence,—which still holds out prospects of having a real self-governing India? That is one of the main reasons why not only the Consultative Committee, but every one of us, should try to persevere in trying to attain what looks most difficult but may become possible,—a federated India.

There is just one more point that I should like to allude to, and that is the question of finance. The financial question is now being studied by a Committee called the Federal Finance Committee; but it is extraordinary to find that on that Committee there is not one representative of British India. That is a Committee which is working out the destinies of the provinces and India with regard to finance, on which the only Indian representation happens to be two gentlemen from the Indian States. That Committee is to adjust the financial relations not only between the centre and the provinces, but between the new Indian federated States and the centre. Sir, surely when that Committee was being appointed, a little more foresight might have been used. I do wish that Committee every success notwithstanding its constitution. I do sincerely hope that they will be able to evolve a scheme that may bear examination, but it does start with a handicap in not having on it a single representative of British India.

Mr. President: Sir George Schuster.

The Honourable Sir George Schuster: Sir, I do not wish to exercise my right of reply

Sir Hari Singh Gour: Sir, I have very few minutes in which to reply. I have been confronted with a battery of Round Tablers, Sir Cowasji Jehangir, Mr. Joshi and Sir Henry Gidney, all of whom seem to have been three brothers in the dock chained together and trying to secure their liberation from the accusations that have been made against them. But, Sir, let me give them this comforting assurance that I have made no charges against any of them. What I feel and what I wish to repeat is that what we want now is an immediate advance in the centre within the spirit and letter of the present constitution and that we want with the least possible delay a final constitution, whether it is with federation or without it. That, Sir, is the sum total of our demand. I have no doubt criticised the Sankey Federation scheme; I have pointed out also that since then there have been, at any rate, half a dozen other schemes. There is the Patiala scheme, there is the Central India *cum* Western India scheme, there is the Indore scheme, there is the small Princes' scheme and there is the nondescript scheme. (Laughter.) In the midst of this confusion I feel that the Government of India should use their good offices in prevailing upon His Majesty's Government that, before the cloud of this controversy of federation lifts, there should be an advance in British India on the basis of a federation of British India, and that a point of contact is possible, and might be established with Indian India through the medium of a Council such as the Statutory Commission have recommended, such as the Central India and Western India States have recently promulgated and such as the Central Committee itself had recommended. If, therefore, federation is a distant dream, if federation is at the present moment impracticable, I beg to ask why should His Majesty's Government wait for the completion of that federation? Sir, there is a feeling abroad that His Majesty's Government are thinking of introducing provincial autonomy. If I have raised this debate and if Honourable Members on this side of the House had more time to speak, I and they would have joined our voices in informing His Majesty's Government that nothing short of responsibility in the centre will satisfy the immediate wants of the people of this country. (Hear, hear.) Whatever advance you may make in the provinces, whether you call it provincial autonomy or provincial responsibility, it would not only be inadequate but unworkable so long as the Governor under the present constitution is subject to the direction, supervision and control of the Government of India and the Government of India in their turn are subject to the supervision, direction and control of the Secretary of State in Council. These difficulties were seen by the present Prime Minister in the speech from which I have freely quoted, and it is the present Prime Minister's speech of that day that I wish to recall and which I wish further to wish the Government of India to recall for the purpose of showing what they should have done in 1921, and which though late they may still do as a temporary measure before a final constitution is threshed out by the British Parliament. That, Sir, is all that we demand. That is all that we have been asking; and the Honourable Members on the opposite benches must have known that throughout the length and breadth of this country all voices have joined in asking that there should be a progressive realisation of responsible government in the

centre, progressive in the sense that it does not lead from point to point but that there is a steady growth and that it grows of its own momentum and organic power. That is what we want and that, I submit, is how the Government of India Act of 1919 should be construed. And, Sir, if I have spoken on this occasion, it has been with the single purpose of drawing the attention of the Government of India to the requirements of my country on this occasion. Within a few minutes we shall be launched into a discussion of another topic, that topic which the Government of India know must be distressing them as often as it comes up directly or indirectly for discussion. Sir, nothing is more painful to us than to refer to that topic; but the fact is that we and the Government of India would be able to avoid these distressing contingencies if the Government of India were to press upon His Majesty's Government one bold advance, one bold step forward in the direction of liberalising the constitution as we have asked and further to push on with the ultimate constitution that might be settled for the Government of India.

I am afraid, Sir, I shall not have the time to reply to my Honourable friend Dr. DeSouza, but I am perfectly certain—and I feel happy—that my Honourable friend Sir Abdur Rahim has amply dealt with the question of the Round Table Conference. He has also pointed out that the scheme, as it is settled by the first and the second Conference or by the Consultative Committee, would in the end be unworkable. Then, Sir, Mr. Joshi has lent his support to the main theme of our arguments. As regards Sir Henry Gidney, he is Sir Henry Gidney and nothing need be said about him.

Mr. President: Order, order. The House will now take up the motion for adjournment.

MOTION FOR ADJOURNMENT.

EXCESSES OF THE POLICE IN DELHI AND DESECRATION OF THE MOSQUE OF KUCHA RAHMAN.

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa

4 P.M. Muhammadan): Sir, I move that the House do now adjourn. Before proceeding with the main question of the violation of sanctity of a mosque, I would like to give the history of the occurrence on Saturday last. My Honourable friend the Home Member may correct me if he finds any matter incorrect.

According to my information, a day prior to this occurrence, that is, on Friday last. Mufti Kifavatulla, President of the Jamiat-ul-Ulema-Hind after his Juma prayer in the Juma Masjid, started from the Mosque and went towards Queen's Gardens to hold a meeting there. All that the men with him were doing was occasionally calling "Allah-o-Akbar", which means God is the greatest of all, also calling "Islam Zinda Bad". This peaceful gathering or procession reached the Queen's Garden and sat there. Before any speech was made or any illegal act was committed, a certain police officer tried to rush towards Mufti Kifayatulla and then some disturbance took place. There are two versions of the following narration: some say that the officer was running to warn and others say that he was running to arrest the Mufti Sahib. However, there is no denial of the fact that

[Mr. M. Maswood Ahmad.]

up to the time of the lathi charge the Mussalmans were peaceful and no speech was delivered up to that time. On presumption only actions were taken and many people were injured and the Mufti Sahib was arrested.

Then, according to the *Statesman*, the mob was shouting slogans: a lathi charge was made as a result of which a man named Abdulla had to be taken to hospital: five or six others received injuries; the lathi charge effectively dispersed the crowd and Mufti Kifayatulla was arrested: three other men who were also taken into custody were later released. In the whole story, I do not find anything to show that the gathering was not peaceful. I will here add that the slogans were "Allah-o-Akbar", "Islam Zindabad", "Sarhad ki Azad Tahqiqat Karo", and "Ordinance Wapas Karlo". The *Statesman* also does not make it clear what were the slogans: it is quite clear that these slogans were not very objectionable or fit for any notice to be taken of them.

Now the occurrence of Saturday last begins. A procession started from the Juma Masjid shouting "Allah-o-Akbar", "Islam Zindabad", etc. By the orders of the Magistrate, the banners were seized at the clock tower, and a minute later lathi charges were made by the police. No fault is mentioned here also. Then a sort of disturbance started on Saturday and passers by fled in different lanes about which the *Statesman* says, (this is the main occurrence):

"At three o'clock a procession numbering two thousand under the instructions of the Majlis-i-Ahrar started from the Juma Masjid shouting different slogans. The procession passed through Chowri Bazaar, Hauz Qazi, Lal Kuan, Farrash Khana, Fatehpuri and had reached the Clock Tower when, it is understood, on instructions from the City Magistrate a police official seized the banners. A minute later the police made a lathi charge on the crowd which by now exceeded six thousand."

Here also there is no mention that there was anything not peaceful, rather the only fault mentioned is that the mob exceeded six thousand. It is alleged that these lathi charges on innocent and peaceful citizens infuriated some Muslim boy. I do not want to discuss this at this stage, because the case is under trial. However the crowd fled in different streets and police chasing them reached to the mosque in Kucha Rahman. Further the *Statesman* says:

"The City Magistrate saw stones being thrown from the mosque though the mosque authorities deny it. The police entered the mosque and made a lathi charge inside it. They then went to the top of the Masjid and dispersed people who were standing there. Some slight damage was done. Five people were arrested inside the mosque."

The official version also is that brickbats were thrown from inside the mosque. I challenge the Treasury Benches on this point, to prove that brickbats were thrown from the mosque. There is absolutely no window or door towards the lane from which brickbats could be thrown from the mosque. I myself went today to see the mosque and saw that there was absolutely no hole towards the lane from which brickbats could be thrown. Many other Members also have seen the mosque. The lane is to the west of the mosque. It is known to you, Sir, and to every one else that there are no windows or doors in the western wall of a mosque. It is quite clear and known to every Muhammadan that in the western wall of a mosque there can not be any window or door. That is the case with

this mosque in question also. In another place the *Statesman* also writes in this way :

“As the lathi charges were going on some brickbats, stones and earthenware were hurled at the police from a house adjoining the mosque in Kucha Rahman, a by-lane in Chandni Chowk.”

So it is clear that no brickbat was thrown from the mosque, rather it was thrown from some adjoining house: it might be possible, Sir. The police who were making lathi charges rushed into Kucha Rahman and rushed into the mosque. The main gate of the mosque was closed by the Muazzan that the crowd might not come in, but the police broke the door. I myself saw about hundred spots of lathi charge on the door leaf. The peaceful Muazzan and some other Muslims who were inside the mosque for *Asar* prayers were beaten, *Wazu* pots were broken, glasses of lanterns were smashed, and the police entered the mosque with shoes on. Is this not a barbarous mentality? Whatever may be said by the Honourable the Home Member about the position and plan of this mosque is only hearsay and it cannot satisfy me. I have myself seen the position of the mosque. The facts are clear, that brickbats cannot be thrown from the mosque, and at the same time there were no brickbats in the mosque. The mosque was in perfectly good condition; the floor is paved with stone everywhere and there was no possibility of having brickbats even in the mosque.

From what has occurred in Delhi during the last three days, it appears that the authorities, and especially the police, are bent upon making mischief in the garb of restoring law and order. It has been pointed out repeatedly that they should first gauge the situation and then take action with a view to ease the situation as far as possible. But contrary to this the police are bent upon committing as many excesses as they possibly can, and for which there can be no justification. The greatest cause of complaint to the Mussalmans is that the police entered the mosque in the Kucha Rahman by forcibly opening the doors, smashing the window panes and breaking the earthen pots there. To whatever school of thought the Mussalmans may belong, they cannot possibly tolerate even for a second the violation of the sanctity of their religious buildings. During the past few years there have been hundreds of examples where Mussalmans have resorted to every means in order to uphold the honour of their religious places. May I enquire from the Treasury Benches, what right the police had in entering a religious place of worship and causing damage to it? The Government and the authorities are fully aware of the fact that the Mussalmans are always ready even to shed their blood to keep up the sanctity of their mosques and other religious buildings. It is a well-known fact that anything that touches their religion goes to their heart. But in spite of this, the police resorted to this, which has greatly injured the feelings of every Mussalman in this country. I cannot possibly understand how the police, knowing what the consequences of their actions would be, did a thing which the Mussalmans will never tolerate.

Mr. President, unless the Government punish those who are found guilty, after due enquiry, of thus entering the mosque and thereby injuring the feelings of the Mussalmans, and compensate the mosque authorities they will never sit at rest. I warn them to do this at once in order to avoid any further trouble, otherwise the responsibility will be theirs. If I win or lose this motion, it will not change the situation at all. I did not move the motion to carry the day, but I wanted to warn the Government in time. I warn the Government to respect the religious feelings of all communities in India, to respect all the places of worship

[Mr. M. Maswood Ahmad.]

and sacred places such as Mandirs, Gurdwaras, Churches, Imambaras, Karbalas, Mosques, and graveyards, etc. I urge upon the Government to hold an independent inquiry very soon, to compensate the mosque authorities and to punish the responsible men who will be found guilty. Mr. President, India is an Asiatic country; for Indians religion is above all. We can bear all sorts of hardships; we are prepared to sacrifice our wealth, our children and even our very lives, but we cannot allow any one to interfere with our religion or to desecrate our mosques or other places of worship. You can play with our blood but we cannot allow you to play with our religious sentiment.

Sir, with these words I move.

The Honourable Sir James Orerar (Home Member): Mr. President, when I first had intimation that my Honourable friend proposed to move this motion, I could not but feel that he did so under a complete misapprehension of the facts. I have, Sir, been keeping myself in very close touch with occurrences in Delhi during the last two or three days, for the scenes of disorder which have occurred have been matters which have given both the local authorities and to myself some very considerable cause for anxiety. That being so, I have, from day to day, been receiving from the authorities of the Delhi Administration information as to what actually occurred: and today, as the Honourable gentleman appears to have relied almost entirely upon a Press report for the facts which he has recited, I think it would be proper on my part to take the earliest opportunity of placing the House in possession of the facts as they have been reported by the responsible officers of the Delhi Administration. I will deal first with the occurrences on Friday, the 11th March 1932. This is the report of the City Magistrate, a well known and highly respected Muslim Officer:

"A procession, organised and led by Mufti Kifayat Ullah, started from the Jama Masjid at about 3 P.M. and reached the Clock Tower at 4 P.M. where I, Mr. DeGale, S. S. P., A. S. P., Mr. Bakhtawar Ali, and R. B. Malik Devi Dayal, Deputy Superintendent of Police, were present with the police force. The processionists numbered about 3,000 to 4,000 and they were shouting at the top of their voice "*Inqilab Zindabad*", "Down with Ordinances", "Government *Barbad Ho*", etc. Just entering the Queen's Gardens, the crowd stopped for a moment and shouted defiantly at us. The leaders then asked the crowd to proceed onward and they accordingly went to the ground behind the Town Hall, where a meeting was arranged. This meeting consisted of a gathering of about 2,000 people, and the rest of the crowd, numbering about 3,000 to 4,000, were standing behind the hedges and were watching the show. Mufti Kifayat Ullah took his seat on a Municipal bench lying there. As soon as the people in the crowd took their seats in the meeting they again shouted the same anti-Government slogans, "*Inqilab Zindabad*" "*Government Barbad Ho*", etc. It was then announced to the gathering that if they continued to shout anti-Government slogans or any speech were made to promote the object of an unlawful association, they would be dispersed. Thereupon some 40 to 50 people who were sitting in the centre of the crowd shouted back "We shall, we shall; disperse us if you like." The meeting was then dispersed with a light lathi charge by the police. A man from amongst the crowd also assaulted the S. S. P. with the bamboo of a banner. Some policemen who saw him assaulting the S. S. P. intervened. The S. S. P.'s head was saved by his *Topi*. Mufti Kifayat Ullah stuck to his bench and did not move from there. He was consequently arrested. The injured man was sent to the hospital at once. . . ."

It will be observed that only one injury was caused to a man who made a very dangerous and violent assault on the Senior Superintendent of Police who was saved by the prompt intervention of the men under his command.

I now pass on, Sir, because, I think, it is important that the House should have the fullest account of the facts, and I trust that you will if necessary give me a slight latitude over the time normally allowed, to the report of the City Deputy Superintendent of Police on the events of Saturday the 12th March:

"A procession under the auspices of the Majlisi-Ahrar, Delhi, started from the Jama Masjid today at about 3 p.m. About 2,000 Muslims joined it. About 3,000 spectators also accompanied it. They were carrying two red flags and three placards on which was inscribed "Long live revolution, Mufti Kifayat Ullah Zindabad" etc. They were shouting "Inqilab Zindabad", "Government be ruined", "tyrant Government be ruined" "Martyrs of Peshawar and Frontier zindabad", etc. The procession after passing through Chawri Bazar, Hauz Qazi, Lal Kuan, Fatehpuri, reached the Clock Tower at about 4 p.m., where I, along with the City Magistrate and the police force, was present. The processionists were very much excited and were shouting anti-Government slogans. The banners and placards they were carrying were seized by the police under the City Magistrate's order and the procession was dispersed after it had been declared unlawful. A person, reported to be a resident of Hauz Qazi *ilaqa*, stabbed two of the constables and was arrested on the spot with a knife in his possession. One of the constables received a serious injury on the right side of the chest".

The House will note these facts in view of the suggestion made in the Press report quoted by my friend that the conduct of this gathering had been strictly peaceful.

The report further says:

"He was removed to the Hospital at once. A good many of the processionists, who had entered Kucha Rahman, started throwing brickbats on the police. The police then dispersed the crowd in the lane and when they were coming back, a good many brickbats were thrown at them from the balcony of a room above a mosque. Some policemen got on the balcony through the common main entrance of the mosque and dispersed these men. In the meantime, the S. S. P. also reached the spot. The rifle of one of the police armed guard, which was in Chandni Chowk, went off accidentally in the air."

I mention that, because there has been a widely prevalent rumour that firing had been opened by the police and serious casualties had occurred, which is dispersed by the report of the S. S. P. No casualty resulted from this accidental discharge.

"(Note by S. S. P. "I checked all ammunition on my arrival and found that only one round had been fired. The Head Constable concerned said it was an accident while loading"). The police returned to the Kotwali at about 7 p.m.

It is reliably learnt that the man who stabbed the constable had come with the intention of stabbing Sub-Inspector Abdul Wahid.

Foot constable Bhagwat Singh, No. 448, posted at New Delhi police station, who was going towards Hauz Kazi in a tram car in uniform was assaulted by some Muslims. He received some slight injuries.

One Mr. G. A. Heron with his wife was coming from Khari Baoli on his motor cycle. When he reached the corner of Fateh Puri he was struck by one of a crowd. On receipt of this information the police was sent there to disperse them, but the crowd had disappeared.

Later information was received that some tram cars were stopped by some men in front of Katra Nil and Ballimaran."

"The police were twice sent there and dispersed the crowd. Besides the above constables some other constables also received injuries. The condition of one of the constables who was stabbed with a knife is somewhat serious. A case under section 307 Indian Penal Code has been registered against the assailant."

I do not propose, though I have the reports in my hand, to read an account of what occurred yesterday, that is, Sunday, the 13th. Assaults

[Sir James Crerar.]

did continue to take place, and the atmosphere is still tense, but I trust that it will shortly subside. I may at this stage make this observation, that while a mood of great tension and excitement is unfortunately still prevalent in some parts of the city, I trust that if the debate on this motion is proceeded with, any Honourable Member who takes part in it will be very careful not to say or do anything which might add to the tension and possibly lead to very unhappy results.

Now, Sir, I propose to deal more fully with the incident relating to the mosque, because I realise that both the Honourable Member himself and all the gentlemen on his side of the House, as indeed I may say, every Member of the House, will be greatly concerned with any question in which a suggestion is made that a place of worship, of whatever creed or whatever religion, has been wantonly desecrated. But I propose first to make some comments merely on the police action which has been referred to in the first part of the notice of motion. The reports which I have laid before the House have been very carefully scrutinised by the higher officials and responsible officers of the Delhi Administration, and I am fully confident that they can be accepted as reliable and trustworthy accounts of the events to which they refer. I think that no candid judge will be prepared to deny that in circumstances of great danger and difficulty the police officers concerned and the other members of the Delhi Administration acted with the greatest restraint and discipline. Now, Sir, I come more particularly to the incident relating to the mosque. I have here a report by the Senior Superintendent of Police himself who came on the spot almost immediately after the incident referred to by my Honourable friend. This is his account of the matter:

“Having arrived in this small lane from which stones were being hurled, the police were dispersing the crowd in the lane when from a small balcony—”

It will be evident from the other report I have read to the House that this balcony lies over the mosque itself:

“—another shower of stones was thrown upon them. The men—who were mostly from the police lines and not well acquainted with the city—turned and charged up at the stone throwers on the balcony. The direct way to do so was to enter a gateway which proved to be also the gateway to a very small mosque, and from the court yard of this mosque they found a staircase leading to the balcony from which stones had been thrown. It is very unlikely that any of the police realised at the time that there was any question of entering a mosque. The entrance (this is an important fact) is a common entrance to both the mosque and the house in question. Inspector Fateh Mohammad Khan and Sub-Inspector Abdul Wahid were present, though not with the advance party of police who first entered.

This was a mixed batch of police, of whom the majority were Muhammadans. It is true that they were wearing shoes”—(he is perfectly frank in the matter) “but they entered the mosque courtyard unwittingly; but, beyond that, nothing that could possibly be alleged as desecration occurred.

The action taken was to bring the stone throwers down from the balcony and to pack them off.

The lane or kucha was littered with bricks and stones where they had been hurled, so the S. S. P. saw, on his arrival, and a number of police had received minor injuries and bruises.”

That, I think, is a perfectly reliable account of what actually took place, and if it is a question of the general policy of the Government of India, as indeed of all Governments in India, in this matter—though I can hardly suppose that that could really be in question—I cannot do better than

quote from a statement recently made by the late Viceroy of India, Lord Irwin. What he said was this:

"Since the advent of British rule it has been a fixed tradition of the Government of India to recognise and respect the sanctity of places of worship. This policy has been faithfully and continuously pursued; and I need scarcely dwell on the numerous acts of Government which testify to it; for they are well-known to you. Suffice it to say that the kind of acts I have in mind are the inclusion of special provision for their protection in the penal law, the continuance under British rule, in favour of many shrines, of jagirs, grants and *muafis* originally granted by rulers of the faith with which they are connected, and the elaborate arrangements which are made for the comfort and convenience of pilgrims to the places they hold in veneration.

This attitude has not been dictated by reason of self-interest, but springs from genuine conviction. It is a cardinal item of policy; and the spirit which underlies it is expressed in the proclamation of Queen Victoria relating to the freedom of religious beliefs, a passage from which I may quote to you:

'Firmly relying ourselves on the truth of Christianity, and acknowledging with gratitude the solace of Religion, we disclaim alike the Right and the desire to impose Our Convictions on any of Our Subjects. We declare it to be Our Royal Will and Pleasure that none be in any wise favoured, none molested or disquieted by reason of their Religious Faith or Observances; but that all shall alike enjoy the equal and impartial protection of the Law.'

Let me assure you that I and my Government stand steadfast in those convictions. We regard as matters of the first importance the protection of all communities in the free exercise of their religious beliefs and the preservation from disrespect of the sacred places which they hold in reverence. My Government will, in future, as in the past, be scrupulous in condemning and preventing any action which may give genuine offence to religious sentiments or interfere with the use, for purposes of worship of sacred buildings, by whatever community they may be venerated.

Nevertheless, I must necessarily attach to this assurance a qualification which you yourself recognise as just. Indeed it is the essence of the matter that a sacred building should be devoted and preserved for the purpose of worship. All men condemn as unseemly the misuse of a building set apart for the service of God for the purpose of giving provocation or committing excesses. While Government always desires to respect the sanctity of places of worship, it must be a point of principle that the public should not by any action detract from, or sully, their sacred character."

Now, Sir, from the facts I have recited—and I will conclude my remarks in two minutes—it is clear that, in so far as the police entered the doorway of this mosque, it is a common doorway, and that they were greeted with a shower of brickbats. It is quite clear that no disrespect to the mosque was ever intended. A large number of the police party were themselves Mussalmans. Two of the officers immediately in charge of the party were themselves Mussalmans, and I think that that will be accepted as a reasonable assurance that no deliberate disrespect was intended to the mosque, and that in fact, no act of desecration took place.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): What about the smashing of the lantern mentioned by the Mover?

The Honourable Sir James Crerar: I have no information about the smashing of a lantern. I am perfectly confident that the official reports on the subject which I have read out to the House give a trustworthy account of the matter. Taking, then, the series of incidents to which my Honourable friend has referred on the day previous to this occurrence, and taking this incident itself, I think that the House will be prepared to recognise that the Administration of Delhi and their officers were confronted with a danger of very great difficulty indeed, in which one tactless act, and what is more important, the slightest failure to discharge their

[Sir James Crerar.]

duty, might have resulted in a very great catastrophe. My own view is that the action which the police and the Magistrates had to take throughout these unfortunate occurrences—now, I hope, rapidly drawing to a close—was carried out in a spirit of great devotion to duty, and of the strictest discipline and restraint, and with a desire, in carrying out their duty, to inflict as little injury as possible. That, I submit, is the verdict which the House ought to pass on this motion. (Applause.)

Maulvi Sayyid Murtuza Saheb Bahadur (South Madras: Muhamadani): Mr. President, you are alive to the fact that I generally end my speech with a Persian couplet, but today I will begin my speech with Persian couplets, so that they may give cogent advice to the Government. The first runs thus:

*"Bitars az ahe muzlooman ke hangame dua karden
Ijabat az dare huq bahre istiqbal mi ayed"*.

This is the advice given by a Persian philosopher to the then Government. It means, "Be afraid of the intense and heartfelt feeling of the oppressed, when they give expression to that feeling and want to launch a complaint before the Supreme Court. The angle of acceptance comes in advance to take it to the Divine Durbar". This is an occasion when the House cannot expect me to give expression to my feeling with restraint, and I hope you will pardon me. I am one that attaches great importance to religious affairs and there is our Christian friend the Home Member who tries to assure us that they who represent the Christian Government also attach importance to that fact. The Home Member said on the 1st February 1932 that the powers given to the agents under the Ordinances are being administered and exercised with strict discipline and utmost moderation and restraint. I will refer the House to his exact words. He said:

"It is the view of the Government of India, a view fully shared by the Local Governments that these extraordinary powers (he refers to the powers under the Ordinances) must be administered (not will be) with strict discipline, as I said and with the utmost restraint and moderation and it is in that spirit that they will continue to be administered so long as they may unhappily be found to be necessary."

Sir, the Mover of the Resolution began his speech with what transpired on the 11th. So I need not enter into any details regarding it. The meeting on the second day was with the object of protesting against the high-handedness of the police who, without warning the people to disperse, began to belabour them, so much so that they were about to belabour even Mufti Kifayatulla Sahib, the President of Jamiyatul-Ulema-e-Hind, Delhi, who is held in great esteem by the whole Muslim public. But for his son, who offered him shelter by falling upon him, he would not have escaped a *lathi* charge. He is a lean and aged gentleman who is not keeping good health. The Home Member also might have seen him; but unfortunately he does not attend Government parties. Such a gentleman was about to be belaboured, and one Maulvi Abdul Halim Sahib Siddiqi, who was about to propose the Mufti Sahib to the Chair, and who was sitting by his side on a bench, which is described as a municipal bench, was actually belaboured. I have seen with my own eyes the wounds he has received in his left hand. Sir, the Jamiyat-ulema and Majlis Ahrar are organisations that are politico-religious and they have nothing to do with the Congress civil disobedience movement. What they wanted on this occasion was to request the Government to withdraw the Ordinances

and to permit a committee to go to the North-West Frontier Province to make an independent inquiry, so that the communiqué issued from time to time by the Chief Commissioner who is about to be made Governor of the Frontier Province and the several statements made by the reliable gentleman belonging to that province may be gone into deeply and a sifting, honest and independent inquiry may be made by them which will strengthen the hands of the Government also to a great extent if the allegations against them are untrue. The Government have not been good enough to grant this mild request. Even the Moslem Conference at the meeting of the Working Committee held recently has passed a Resolution requesting the Government to constitute an independent committee to present to the N. W. F. to go into the question affecting the Province. These are the requests that the above organisations also are making. They have not taken to the civil disobedience movement. But they may be driven to the necessity of so doing hereafter.

Sir, as regards the mosque referred to both by the Mover and the Home Member, I am in possession of a photograph of the mosque, which will dispel all doubts of even the Government. It shows the gateway which was broken into by the police on the 12th. It is a double storeyed mosque. Our friend the Honourable Member has confounded the balcony, which has been set apart for the Congregation leader (Imam) and the mosque. The balcony referred to by him is a small room, but there is a balcony which is a place of worship above the lower building. It is a double-storeyed building. Our friend might have taken the trouble of visiting the place which is not far off from here. Even now it is not too late for these gentlemen or the Members of the European Group or other non-official Members to visit the place and satisfy themselves as to whether sacrilege has been committed by the police or not. The explanation of the Government has been propounded with great sagacity and tactfulness in order to throw dust into our eyes. This morning I visited the mosque to make a sifting inquiry and to see those who were actually belaboured by the police. When a student was reciting the *Koran* there, he was belaboured to such an extent that he fell unconscious over the holy *Koran* itself and it fell down. It is astonishing that a civilised Government can tolerate all this. But can we put up with such things, Sir, any longer? If there was actually anyone who stabbed a constable, it is said the police have arrested him, and if he happens to be the real culprit, let him be brought to book and dealt with according to law. But how are the police justified in entering a mosque with shoes on, I cannot imagine, or how this kind of high-handedness can come to pass here. If my Honourable friend will take the trouble of visiting the mosque even now, he will see that there is a balcony set apart for the *Pesh* Imam, who is an aged gentleman of 70 years, a Maulvi, a professor of the Arabic College here, and even the balcony occupied by the old Maulvi Sahib has received a *lathi* blow—fortunately for him he was not charged with a *lathi*, but one can see the number of glass panes broken. Now if my Honourable friend, the Home Member—who is to retire soon—will take the trouble of seeing the balcony, he will see the lanterns broken, the doors damaged, etc., etc.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhamadan): Give it to the *Statesman* to publish it.

Mr. President: Order, order. The Honourable Member knows that on an adjournment motion there is a time-limit of 15 minutes.

Maulvi Sayyid Murtuza Saheb Bahadur: Had I known that, Sir, I would have finished my speech long ago.

Mr. President: The Honourable Member has four minutes more.

Maulvi Sayyid Murtuza Saheb Bahadur: The *Statesman*, Sir, was the forerunner of the statement which is made by the police officers and endorsed by the Honourable the Home Member. My Honourable friend Mr. Arthur Moore will excuse me for saying so. The *Statesman*, dated the 13th March, says:

“The crowds who were stoning the police—and not who were alleged to have been stoning the police—from a mosque were soon dispersed, and several arrests were made.”

I see of course my Honourable friend has been misled by his reporter. He may also take the trouble to go with me and satisfy himself as to whether there is any physical possibility for any man to throw stones from within the mosque. There are huge buildings in front of the mosque. The mosque itself is located in a narrow lane on Kucha Rahman. The word “kucha”, my Persian-knowing friend, the Honourable the Home Member, need not mistake for a big street: it is a narrow lane. Then, Sir, had there been any stone-throwing, as reported by the police officer, those that were arrested must have been—not only might have been, or should have been,—but must have been dealt with according to the law, but they were let off after a few minutes by the same officer. If the allegation be true, where was the necessity for letting off five or six persons who were arrested from within the mosque? They were actually let off. So, Sir, the case which my Honourable friend, the Home Member, has tried to make out cannot stand for a moment. It has fallen through and it cannot but fall through. So I would request even the Government Members to sympathise with these grievances, which, Sir, have much to do with various unfortunate matters today. Today they desecrate a mosque, tomorrow they desecrate a temple, a third day they desecrate a Gurdwara, and so on! What is the use, Sir, of reading out the Queen’s Proclamation; we have read that over and over again.—Do the Government act up to the terms laid down therein? That is the question. (Loud Applause.) So, Sir, I shall conclude my speech also with the following pregnant words:

*“Bitars az ahe muzlooman ke hangame dua karden
Ijabat az dare huq bahre istiqbal mi ayed”.*

“For the stability of any Government it is quite necessary that it should see that no community which has a religious bend of mind is injuriously affected and its religious feeling wounded”.

With these words of warning and advice I resume my seat.

Mr. Gaya Prasad Singh: Sir, I should like to offer a few observations on this motion; and my only justification for doing so is that I was an eye-witness to some of the incidents related here by some of the previous speakers. Sir, I went to the city yesterday and the day before in the evening. But before coming to the incidents of which I have been a personal eye-witness, I should like to refer for a moment to the speech of

my Honourable friend, the Home Member. It was very refreshing to find my Honourable friend giving an assurance to this House that he has put himself in the closest touch with the incidents which happened in the city during the last three or four days. I would like to know from him whether he ever took the trouble of visiting the scene of the occurrence, and of witnessing the mosque in question. Evidently, Sir, he has not seen the mosque, and he relies upon the information which has been supplied to him by his subordinate officers who in fact are the accused in this case, and who cannot expect that their version must be accepted as necessarily true by this House or by the country outside. (Hear, hear.) Sir, during the course of his speech my Honourable friend was interrupted, and asked whether he saw the lantern broken in the mosque; and my Honourable friend not having seen the place of occurrence could not reply. Sir, I saw the mosque, and the lantern that was broken. I should now like to refer to that part of the speech of my Honourable friend in which he has stated that anti-Government slogans were shouted by the people who had assembled in the Queen's Garden for the purpose of holding a meeting. My Honourable friend the Mover of this motion has quoted extensively from the *Statesman*, and so far as I can remember, the *Statesman* does not refer to any anti-Government slogans having been uttered at the meeting. Everybody knows, Sir, the attitude of the *Statesman* with regard to incidents like these, and the soft corner it has for the Government: but I have failed to notice any sort of reference made to anti-Government cries at the meeting.

Mr. C. C. Biswas (Calcutta: Non-Muhammadan Urban): That might have been due to "softness" for Muhammadans!

Mr. Gaya Prasad Singh: I have in my hand, Sir, another paper, the *Hindustan Times*, from which I make this one quotation:

"Exactly at 4 P.M. all the officers headed by Mr. deGale made their way to the place where the meeting was being held. Sub-Inspector Abdul Wahid communicated to the people assembled that if in the meeting anything was said against the Ordinances, the meeting would be declared unlawful. The conveners had hardly time to reply when some among the audience replied that they would speak against the Ordinances. This was the signal for a severe *lathi* charge on the audience."

It was not the light *lathi* charge as stated by my Honourable friend, the Home Member. Sir, I proceed further:

"The armed policemen who were standing by rushed to the scene of the meeting and began showering *lathi* on the crowd. People ran in a panic, but the Police chased them on all sides for many furlongs. Many people received injuries."

This narration of facts also does not refer to any anti-Government cries that are said to have been raised by the people. Mufti Kifayatullah Sahib who, I understand, is the President of the All-India Jamiat-i-Ulema, was arrested; and he was marched off to the lock-up. This gentleman occupies a very high and honourable place in the Muslim world. I have no doubt that when my Honourable friend Maulvi Shafee Daood-Nagri gets up to speak on this motion, he will pay a high compliment to the position which the Mufti Sahib occupies as the President of the Jamiat-i-Ulema; because I remember some years ago

Maulvi Muhammad Shafee Daoodi (Tirhut Division: Muhammadan): It is dragging an irrelevant matter into this question.

Mr. Gaya Prasad Singh: Can I not refer to you?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Order, order. The Honourable Member should address the Chair.

Mr. Gaya Prasad Singh: Sir, my Honourable friend Maulvi Shafee Daood-Nagri—he comes from a village called Daood-Nagar in my own district of Muzaffarpur in Bihar—used to swear by the name of the Jamiat-i-Ulema, and the name of Mufti Kifayatullah. That is why I said . . .

Maulvi Muhammad Shafee Daoodi: I object to this sort of speech of my Honourable friend.

Mr. Gaya Prasad Singh: I therefore thought, Sir, that my Honourable friend had still some respect and regard for this gentleman.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Why is the Honourable Member bringing up the name of Maulvi Shafee Daoodi so often in his speech? If he holds any views he will give expression to them.

Mr. Gaya Prasad Singh: However, I will proceed with the subject-matter of this motion.

Yesterday in the evening I went to the city, and I had a keen desire to see the mosque. I went up to the front of the mosque, but I was hesitating to go inside it. Amongst the crowd that were collected there, three or four respectable Muhammadans asked me whether I wanted to see the mosque. I replied that I would like to if they had no objection. I told them at the outset that I was a Hindu, and I did not know whether I should be allowed to go inside the mosque. On being taken into the mosque, I took off my shoes as every body else who enters into a mosque has to do. I saw the remnants of broken earthen pitchers littered all over the place, and it was represented to me that they were the vessels from which our Mussalman friends do *Wazu* or the ablutions before performing their *Namaz*. Some glass panes were also broken. I was led upstairs into a room. There I saw a big lantern which was hanging down. It was also broken and smashed. It was stated to me that a boy who was reading the holy Koran was assaulted and beaten as well as a few others. I also saw the *lathi* marks on the adjoining wall. It was represented to me that the constables who entered into the mosque with shoes on had battered down the gate at the entrance of the mosque, and when they went upstairs another panel of doors was also broken down which I saw with my own eyes. It was stated to me that the posse of constables who entered were led by Sub-Inspector Abdul Wahid. Sir, this was what I actually saw with my eyes. Then I went into the neighbouring *gali* which is called Kucha Rahman, and there I was told that a shopkeeper who deals in laces and other things, out of the fear of the police ran away, and the police carried away the bundle of the laces with them. The fact that I am not drawing upon my imagination will appear from a short statement which has appeared in the vernacular paper called *The Kaumi Gazette*, dated the 14th March, 1932, in which it is stated that the shopkeeper fled out of the fear of the police and the police carried away his *gathri* (bundle). The police pursued the people from the Clock Tower right up to Ballimaran and administered *lathi* blows on them. I saw, Sir, many people running away in panic in Kucha Rahman, and I was also asked to run away with them. (Laughter.)

But I chose the opposite course. I said to myself: "Let me take a little bit of risk and see how things go on". I went on to the main thoroughfare; and on the other side of the road near about the red building of the Town Hall, I saw a large posse of constables running after people and chasing them at random and beating some of them. I quietly went up to them, but I did not talk to any one. I am very thankful to the Police that, although I went so near them, I escaped unhurt. Sir, these *lathi* charges of the police constitute a very disquieting feature in the situation at the present time. This policy has been adopted by an order, I am afraid, which has emanated from the Government of India and which has been communicated to all the Local Governments for guidance. Sir, Government apparently think that the nationalist activities of the people would be subdued and cowed down by the threat of these *lathi* charges and the policy of terrorism. Sir, I have nothing to say about the Police, which is a mercenary force. I am sure it will be as ready to turn against the Government at one time as it is ready to support them now. But, I am afraid Government will be mistaken if they think that these *lathi* charges are going to subdue the people. The Congress manœuvred the whole position, and it has succeeded in its attempt. The Congress wanted to put the Government in the wrong. The Congress thought that the flagging zeal of the people would be aroused most effectively if the Government adopted a repressive policy against them, and the calculation of the Congress has come true. I beseech the Government in their own interests and in the interest of the country, to refrain from indulging in a policy which may have disastrous consequences. To-day, Sir, it is the Hindus who are subjected to these *lathi* charges, and the Government relies upon the Mussalmans and members of other communities to support them. Tomorrow it will be the turn of the Mussalmans, and the Government will rely upon other communities. Sir, it has been said by a well-known statesman, "You can fool some people all the time, and all people for some of the time, but you cannot fool all the people all the time". (Cheers.)

Maulvi Muhammad Shafee Daoodi: Sir, in the short space of time, we have to discuss this motion for adjournment, I want the Honourable Members of this House to concentrate their attention on the most important question out of all that has been described here. I submit there are lots of incidents which happened during the two days of which we have heard the description, but the one which took place on Saturday when the mosque was desecrated was the most important of all questions. It concerns every Honourable Member of this House, to whatever community or religion he might belong. I would therefore confine my remarks to this question. I would have finished after saying that, but for the provocation which my Honourable friend, Mr. Gaya Prasad Singh, gave me which, however, I would not take it in that light.

There is no denial of the fact that the mosque was desecrated.

The Honourable Sir James Orerar: I take strong exception to the statement that the mosque was desecrated.

Maulvi Muhammad Shafee Daoodi: The Honourable the Home Member has so far admitted that some of the policemen entered the mosque with

[Maulvi Muhammad Shafee Daoodi.]

their shoes on. He has admitted that. He has further admitted that a few men were arrested in the mosque. So far it is admitted. We have got information that those few men who were arrested were released soon after arrest. The further information that we have got—and I do not doubt it at the present moment,—the further information is that the door of the mosque was shut from inside and the police broke open the door. There are signs of the door having been broken open. It is not a myth which I am saying, it is a fact, the broken doors are there. The police entered the mosque, there is no doubt about that. Now, of course, the fact whether they belaboured the men who were inside the mosque or not, that is not admitted by the Honourable the Home Member. Also, there was a student who was reading the Koran, whether he was disturbed at the time of reading the Koran or not, that is of course not admitted by the Honourable the Home Member. But the very fact that the police entered the mosque in the way they did is a desecration, and I would ask the Honourable the Home Member to consider whether the police had any justification for that act. Now, as the Honourable the Home Member has said that the crowd was being dispersed and some of the men in the crowd fled towards that lane and some of them entered the mosque. God knows what had happened, but it appears that the police thought that some of the crowd had entered the mosque, and when they entered the mosque, they closed the door from inside. Now, I would ask the Honourable the Home Member to consider whether there was any necessity to follow the men and to pursue them inside the mosque.

The Honourable Sir James Crerar: Because stones and brickbats were being thrown from the balcony on to the police below.

Maulvi Muhammad Shafee Daoodi: The Honourable Member has already said that. I must say as regards the throwing of brickbats, that it is physically impossible to throw any brickbat from the mosque on to the people or the police who might be passing through that lane. Absolutely impossible.

Mr. Gaya Prasad Singh: Or even on the police in the main thoroughfare.

Maulvi Muhammad Shafee Daoodi: It is to the interest of the police to show that brickbats were being thrown from the mosque.

Mr. C. C. Biswas: Supposing that brickbats were thrown from the mosque, would you not still justify the action of the police?

Maulvi Muhammad Shafee Daoodi: I am dealing with facts. I say that brickbats could not have been thrown from the mosque. It is impossible to believe that for one moment. Therefore it is a fact that requires an enquiry and investigation and I should think that Government would be well advised to enter into these questions and institute an enquiry by independent men. I would suggest you should take some of the Honourable Members of this Assembly and entrust them with the duty of seeing the mosque and enquiring into these facts. Unless the Government do that, I submit the feeling amongst the Muslims would grow every day to a very dangerous extent. I am not in the habit of

threatening Government; it is not in my way of doing things. I say what I feel. I find the whole country is up against this act of sacrilege ever since it has been brought to the notice of the public. It is for the Government to show what led to this entry into the mosque with shoes on. Of course, it is for the men to show that they were belaboured in the mosque and that the student who was reading the Koran was obstructed in his study. It is for the people to show all that. But, facts must be brought to light by independent men. It would not do to ignore these facts.

The next question is this, supposing some brickbats were thrown from some portion of the mosque at the police—I am sure they cannot prove it—but supposing that to be the case, I should have thought that to enter a mosque, they should have hesitated a hundred times. Entering a mosque for the purpose alleged is a very serious matter. It is not said that anybody among the police was injured by the brickbats.

The Honourable Sir James Crerar: The Superintendent of Police reports that on his arrival he saw a number of police who had received injuries and bruises.

Maulvi Muhammad Shafee Daoodi: Does he say that these brickbats injured some of the Police?

The Honourable Sir James Crerar: He saw brickbats and stones lying about in the lane and a number of policemen who had received injuries.

Maulvi Muhammad Shafee Daoodi: Let us see whether they are correct or not. It is a question of fact. This is my first point. My second request is this. At once there should be standing orders issued throughout the country that no places of worship should be desecrated in the way they are alleged to have been desecrated. Immediate orders should be issued throughout the country that this should not be done. I hope the Honourable the Home Member will take my advice and see that it is done at once. In spite of provocation, unless that provocation leads to bloodshed, places like the mosque should not be desecrated; they should always be respected.

Then, my Honourable friend Mr. Gaya Prasad Singh had something to say against me. I do not want to retort to him. He asked me to tell him what I thought about Mufti Kifayatullah. I would only answer facts, but not jokes which my Honourable friend had been causing in this House, as they should be naturally ignored. When Mufti Kifayatullah is now in jail, I should not have spoken one word in regard to him. But my Honourable friend has put me a direct question, and I must say what I feel on that. Sir, my friends should know that Mufti Kifayatullah has thrown in his lot with the Congress and is trying to drag the Muslim community in to support the Congress movement.

Mr. B. Das (Orissa Division: Non-Muhammadan): What is wrong in that?

Mr. Gaya Prasad Singh: You were in the Congress once.

Maulvi Muhammad Shafee Daoodi: I say that this is what he has done, and I do not share his views on that question. On the contrary I oppose him on that point. Mufti Kifayatullah may have found for that reason a strong advocate in my Honourable friend, Mr. Gaya Prasad Singh, who is a great Mahasabhaite in India. If the Mufti Sahib has got any support, I do not grudge him that. But I am not going to say anything as to whether the Mufti Sahib was justified in taking the action he did or whether the police made excesses at the time of dispersing the assembly, because I have not made any inquiries on those points. I have confined myself only to the question of the mosque on which I feel very strongly, and confined myself to that alone.

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, I have always held very strong views about keeping law and order, and I have never supported nor will ever support any one who breaks the law, whatever may be his position in society and whether he be a religious head or a political head or without any head at all.

Mr. Gaya Prasad Singh: What will you do about people who break heads? (Laughter.)

Mr. Muhammad Yamin Khan: That is the position, Sir. If the law was broken by any one or a procession was taken out by any one in contravention of the law,—whether the law be good or bad,—that man will never find any support from me. But here two questions have been mixed up. The real motion of adjournment was intended to bring to the notice of Government the happenings in the mosque, and Mr. Maswood Ahmad incidentally referred to the question of the procession, and I think . . .

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): He referred also to police excesses.

Mr. Muhammad Yamin Khan: About that point I do not want to say anything or to test it or to discuss it.

Mr. Gaya Prasad Singh: It is not safe to do so.

Mr. Muhammad Yamin Khan: I do not see eye to eye with Mr. Maswood Ahmad when he says that the procession which was going to hold a meeting in Queen's Garden was peaceful as he describes it, or that it retained its peacefulness till the last. But the point which I have in mind—and it was ignored by Mr. Maswood Ahmad and also by the Honourable the Home Member—is whether it should or should not be allowed to the police force to enter any place of worship in the manner they did in this case. Whatever might have been the report of the Senior Superintendent of Police or of the City Magistrate, the photographs which we have seen just now belie those reports; and I find from the photographs that the earthen pots which are used in the mosque for ablution purposes are littered all over the floor in a broken condition. No explanation has been given as to how they were broken. If the police entry into the mosque was peaceful, as alleged by the Senior Superintendent and the City Magistrate, I fail to see how these things could have been broken and scattered all over the floor. How was it possible for the lanterns to have been broken and damaged as I saw in a photograph just now?

Mr. C. C. Biswas: Might have been done by the men in the mosque?

Mr. Muhammad Yamin Khan: The men in the mosque would be the last persons to do any damage to the property of the mosque. No true Mussalman would ever do it even for exhibiting a photograph and accusing other people. I do not believe that a Hindu or somebody else would have thrown these things or that Mussalmans brought these things from outside. Here in this photograph we find that the lanterns are hanging with broken glasses and the earthen pots used for washing purposes are broken and scattered all over the floor. That shows that the police entry was not as peaceful as has been alleged in the police report. They have minimised the guilt of their subordinate officers, and I cannot attach any value to such a report. However, Sir, I think it will add to the prestige of Government to come forward and make a full inquiry in a matter like this. It is a very serious affair, and whoever commits such an act of desecration,—whether he be a Government servant and however highly placed he might be—deserves to be dealt with properly. I think the prestige of Government will rise if they do not allow any wrong done by their officers to escape their attention. I am a strict disciplinarian and would never permit a serious act like this to be minimised. In the eyes of all peaceful citizens who have respect for law and order those officials who break the law are equally to be condemned as those who violate it. From the evidence which we have got, it is clear that the entry into the mosque was not as peaceful as they want to make out, and the only proper remedy is that Government should rise to the occasion and make an independent inquiry instead of trusting the superior officers of those people who were really concerned in the affair. They should have a committee of unbiassed people who will place before Government the facts in their true light. And if it is found that these people have done something which brings the Government into ridicule, these persons should be dealt with properly; and this will raise the Government in the eyes of all law-abiding citizens. This excuse that the men did not know that it was a mosque is absurd. He could have seen from the gate that it was a mosque. When a man enters a mosque he must know that the floor is of a mosque; he knows that there is a raised pulpit. Can my Honourable friend the Home Member say that if a Christian goes to a church and sees the pulpit and other things he does not know that it is a church? Nothing of the kind. No Muslim can make a mistake about this.

Another matter is the reason for the ladder being shown in the photograph because he went up to the balcony by means of it. If a man says when he comes to the Assembly, "I want to go to the Press Gallery and I will do so by putting up a ladder from the floor of the House, because I understand the entrance to the House is from the lobbies", can any one believe him? It is an absurd idea. Government will never increase their reputation by this kind of reports: they will only lower themselves and their officials in the eyes of people who have been supporting them. If they find that Government are going on wrong versions, it will bring discredit on the reports which come to them from time to time from different quarters in India. So I think Government will be perfectly justified, and they will add to their prestige if they do not ignore this thing which has happened at a very short distance from here, but to make an impartial and full inquiry into this matter and not to let this feeling grow or a suspicion lurk that Government do not care for the religion of

[Mr. Muhammad Yamin Khan.]

the people which is very near their heart. With these words I support the motion only so far.

Mr. W. A. Cosgrave (Assam: Nominated Official): Mr. President, although I have been a Member of this Honourable House off and on for seven years I have not had the privilege yet of addressing the House since you have become President. I therefore take this opportunity, when speaking perhaps in the last session that I will be in this House, of thanking you for giving me an opportunity of speaking in this important debate.

I fully realise the sincerity with which some Members in this House have taken up this subject. I refer particularly to my Honourable friend, Maulvi Shafee Daoodi and the Honourable Mover, Mr. Maswood Ahmad. I realise that in this case they do feel most seriously that their religious places have suffered some harm, and I only wish that the same high standard had been kept up by speakers on all sides of the House. When I heard the speech of the amateur detective who comes from Bihar and Orissa,—my Honourable friend Mr. Gaya Prasad Singh,—I do not know how he managed to disguise himself so well as a sleuth that he escaped the notice of the Police—but when I heard his speech, I was really sorry that the level of the debate had been somewhat lowered from what it had been at first.

Now, my Honourable friend, Mr. Yamin Khan, has made it perfectly clear, and I think other Members in the centre of the House have also made it perfectly clear, that they, unlike some of the gentlemen on the opposite Benches, have no quarrel as regards the action of the police taken in dispersing a procession which was declared unlawful, not by the Sub-Inspector of Police, but by the City Magistrate; and the issue has been narrowed down, I think, perfectly fairly by my friend, Mr. Yamin Khan, to the incident in the mosque. I for one have got the very greatest respect for all religious places, and I take off my shoes on entering a mosque, just as I know my friend, Mr. Yamin Khan, will take off his *topes* when he comes, if he ever comes, with me to a church.

As it seems to me that this House has rather lost its sense of proportion in dealing with this case, I may perhaps be allowed to draw attention again to the statement of the actual occurrence which has been so lucidly put forward by the Honourable the Home Member. The police in dispersing a procession had been attacked by rioters who ran down a narrow lane and two constables had been stabbed, one seriously injured—and a case under section 307 of the I. P. C. to which I do not want to refer is pending against the man who stabbed the two constables: the police naturally had to clear the narrow lane. They went down to this place called Kucha Rahman to clear the narrow lane. I submit that if the police, when clearing a narrow lane, saw stones being thrown from a balcony or gallery above a narrow lane, or what we call a *cul de sac*, if the police saw stones being thrown from that balcony

Mr. K. C. Neogy: If.

Mr. W. A. Cosgrave: I say "if"—I know my friend, Mr. Neogy, quite well and I know he is always fishing in troubled waters

Mr. S. C. Mungy: That is what you do, the whole lot of you.

Mr. W. A. Cosgrave: When I say "if" I admit that I am accepting the official report: I will deal later on with the question as to whether more attention or value should be attached to the report of the very competent and very experienced officer who is at present the Deputy Commissioner of Delhi and who will shortly become its Chief Commissioner, as we are all very glad to note, or whether more attention ought to be paid to that newspaper which I sometimes read with my breakfast—the *Hindustan Times*. To go back to my argument, I say, assuming as correct—and I for one accept it as correct—the report of Mr. Johnson, the Deputy Commissioner based on the report of a perfectly independent European Senior Superintendent of Police who had an experienced Muhammadan Deputy Superintendent of Police with him.

Mr. Muhammad Yamin Khan: May I ask whether Mr. Johnson made inquiries himself personally?

Mr. W. A. Cosgrave: Mr. Johnson wrote the report which has been quoted by the Honourable the Home Member. I say that after the police in that narrow lane had two of their men stabbed, if they had stones thrown on them, I suggest they were quite justified in trying to clear the balcony from which the stones had been thrown. I have seen these pictures and I wish that my friend Maulvi Sayyid Murtuza Sahib had laid his cards or rather his photographs on the table a little earlier, because then we could have seen how many stair cases or how many steps there are up to the balcony or gallery: according to the photograph as I saw it in a very cursory manner craning my neck over the necks of two other gentlemen, there was only one stair case up to the gallery which is apparently the balcony from which the stones were thrown.

An Honourable Member: Were any thrown?

Mr. W. A. Cosgrave: There again I accept the report of the District Magistrate: I think it is quite clear

Khan Bahadur H. M. Wihayatullah: Is it stated anywhere in the report that entry into the mosque was unavoidable and absolutely necessary in the circumstances? The men arrested were released immediately by the police.

Mr. W. A. Cosgrave: I think that it is clear from the photograph that it was the only approach to the balcony. Naturally when the police were attacked they were bound to go the shortest and quickest way to get to the gallery from which they had been stoned, and I think that they were justified in going there. It may be that the constables ran ahead of the Sub-Inspector. But I think that they had every justification in going up to clear the gallery, and I for one cannot believe that there was any deliberate intention to desecrate the sacred building. Here I address myself particularly to my friend, Mr. Yamin Khan, who is an old friend of mine,—I have known him for the last 7 years, and he is a barrister of experience. (Hear, hear, from the Nationalist Benches)—I am not addressing myself to the sympathisers of the Congress on the opposite Benches

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Honourable Member has to address his observations to the Chair.

Mr. W. A. Cosgrave: The point I wanted to put was this. My friend Mr. Yamin Khan put his case extremely well and moderately but I would like to put this point. Supposing there was a balcony above the mosque and a bomb was thrown from that balcony or a pistol was fired from that balcony,—I believe and I hope that pistols are never fired from mosques,—would not the police have been justified in going into the mosque to arrest the culprits? All that has really emanated after all this thunder is, as far as I can see from this report, that the constables in the heat of the moment ran ahead of their superior officer,—and mind you, some of them were Muhammadans,—and ran into the mosque. Now, Sir, I thoroughly share all this respect for religious feelings, but I do think that some allowance must be made for constables who were being attacked with stones, especially just after two of them had been stabbed with knives, and I do think,—I know, Sir, I am addressing the whole House, but if I may say so I think my words may appeal more to the Members in the Centre of the House than to some of the Members sitting on the opposite Benches,—I do think that this is not a matter for censure of Government as a whole, and I hope that this Honourable House will not see any reason to adjourn as a mark of censure considering the difficult situation with which the Delhi police and the Delhi Magistrates have had to deal during the last week end.

Several Honourable Members: The question may now be put.

Sir Abdur Rahim (Calcutta and Suburbs: Muhammadan Urban): Mr. President, I will say just a few words about this matter. It was difficult for me to follow the last speaker. Whether he considers the occurrence as a serious one or not, I do not know exactly what his view is or the view of the Government. There can be no doubt whatever that this occurrence has aroused a very great deal of feeling in the community; in fact, I might say it has caused excitement and a great deal of unrest among the Muslims of this city, and I am afraid that this feeling will be reflected throughout the country. The view I take about this incident is that it is a natural consequence of the enforcement of the Ordinances and of the way in which they are being worked. Now, for instance, Mufti Kifayatullah is a very well known man, and he is certainly regarded as a religious head of the Muhammadan community throughout India (Applause). He is held in the very highest esteem and respect, and I am sure, whatever explanation Government may give about his arrest, the arrest of a man like Mufti Kifayatullah, will be resented very bitterly by Muhammadans throughout India. The Jamiat-i-Ulema, of which he is the President, is a body of theologians who are held in the highest respect by the community and whose advice is implicitly followed in all religious matters by the Mussalmans. I should like the Honourable the Home Member to consider whether the arrest of a man like that is not an event which is bound to excite very serious feelings in the Muhammadan community? Was it inevitable? This gentleman had gone to preside over a meeting. Whether he was actually proposed to the Chair or not, I do not know, but he had not certainly delivered any speech nor did any other

member make a speech. I should have thought that under the circumstances the least that the police could have done was not to take action until something had been said by a man of Mufti Kifayatullah's position to justify the police in arresting him. Some of the processionists might have shouted slogans of an undesirable character, but Mufti Kifayatullah did not do so. Surely before the police arrested a man of his standing and position, they ought to have waited and seen what he was going to do. Supposing any Honourable Member of this House holding a position similar to anything like the position which Mufti Kifayatullah holds wanted to speak on the subject whether the North-West Frontier Ordinances were justified or not, is he liable to be arrested before he says anything which can come within the purview of the Ordinances or the ordinary law? Surely not. As regards the desecration of the mosque, it may be that desecration was not intended, but the facts do amount to desecration in the opinion of the Mussalmans who are concerned. Now, supposing some brickbats were thrown from the balcony, even then the duty of the police, unless they lost their heads, was to ask the men in charge of the mosque to stop the men inside from throwing brickbats and to see that they did not throw brickbats. That is the least they could have done before entering the mosque and assaulting the people inside the mosque. Conduct like this on the part of the police is bound to be resented by the community, and I therefore think that the least the Government can do in a matter like this, when some of the facts are disputed, is to institute an impartial inquiry. If they do that, and if the facts that may be elicited support the Government version, well and good, otherwise Government ought to take action against the officers concerned in this affair.

Several Honourable Members: The question may now be put, Sir.

Mr. President: I accept the closure.

The question is that the question be now put.

The motion was adopted.

The Honourable Sir James Crerar: Sir, I think that generally speaking I may say that the remarks of the Honourable gentleman behind me to the effect that during the greater part of the debate the action of the police in dispersing the unlawful assembly has not been challenged and that the greater part of the debate concentrated upon the question of the mosque. The only subsequent speech which would tend to alter that general view is that of the Honourable and learned gentleman who has just resumed his seat. He referred to what he regarded as the impropriety on the part of the executive authorities of Delhi in arresting Mufti Kifayatullah before he had given any indication of the nature of the speech which he was about to make. I should like to say that on the day on which these occurrences took place Mufti Kifayatullah did make a very strong and a very violent speech attacking the Government, and subsequently the behaviour of the procession which he headed on the way to the Queen's Garden was certainly of such a character that it could not be regarded as a peaceful procession. It was duly warned by the City Magistrate before the police took action. Therefore, I do not think that there is any

[Sir James Crerar.]

ground for suggesting that the action of the police was illegal or had anything whatever to do with the Ordinances. Action was taken under the ordinary law, the Criminal Procedure Code. I say, therefore, that, so far as that incident is concerned, there is no ground for the contention that the action was precipitate or unjustified.

I will pass very briefly to the question relating to the mosque. With regard to that, Honourable Members I think have been impressed by what was said by my Honourable friend Mr. Cosgrave with the executive experience that he possesses. It should be very carefully considered by the House in dealing with disorders of this kind the police have a specially difficult task when they have to enter narrow and confined lanes in order to check them with the utmost promptitude. Let me remind the House that, because the police were not able to do that with sufficient rapidity, only a year ago a very grave tragedy took place in another city in upper India. My point is that, when the police have to enter these narrow lanes, one of the greatest dangers to which they can possibly be exposed is that of missiles, brickbats, etc., thrown from above causing them serious injury, and sometimes even causing death—that is one of the greatest dangers to which they are exposed, and they cannot perform the duty or discharge the orders that are given to them until points of attack of that kind are cleared. And that, I think, was the unfortunate duty which fell upon the police in this case.

The Honourable and learned gentleman asked me whether Government considered this a serious matter. Most certainly Government considered it a serious matter. They considered it a serious matter that the police should have to disperse an unlawful assembly at all. They considered it a very serious matter that action had to be taken,—speedy, rapid, and if necessary, somewhat drastic action,—in order to prevent such an extension of disorder as might have involved the city of Delhi in a great calamity. I quite agree that the matter was very serious, and I sympathise myself very much indeed with the great concern which has been expressed on this subject by Honourable Members in the Centre Benches. (*An Honourable Member*: "That is only lip sympathy.") But when I have to weigh the actual record of the occurrences, when I have to weigh the deliberate report of an officer of the experience and of the integrity of the present Senior Superintendent of Police, I am bound to give a greater degree of credit to the report of such a responsible officer than I can possibly give to a newspaper report, the authority of which is entirely unknown. Therefore, I am bound to hold, although the police officers in this case unfortunately had to enter this mosque, in view of the fact that the greater part of this police party were themselves Mussalmans and were under the direction of Mussalman officers, I cannot believe that anything was done in the way of deliberate and wanton damage, still less of desecration. I shall consider the views which have been expressed by my Honourable friend Mr. Shafee Daoodi in careful consultation with the Chief Commissioner, and I shall consider in consultation with him whether any further action is necessary in this matter. But I am bound to adhere to the views which I have already expressed, and if I am asked to compare the credit of a responsible report of a responsible officer, which has been communicated to me through the higher officers of the Administration, with that of a newspaper report, I

am bound to accept the former in preference to an irresponsible report in the Press. Therefore, I ask the House to affirm that, in the unhappy, difficult and dangerous situation with which the Delhi authorities had to deal in the last two or three days, they have acted well in the discharge of their duty, and that being so, I submit that they are entitled to the confidence and the support of this House. (Applause.)

Mr. President: The question which I have to put is:

“That the House do now adjourn”.

The Assembly divided:

(As the Division results were about to be announced, an Honourable Member came to the Secretary's table asking for permission to record his vote.)

The Honourable Sir George Rainy (Leader of the House): It is a very important matter on which the House would like to have the considered ruling of the Chair, as to whether a Member who had not passed through the lobby at the proper time is entitled to vote?

Mr. D. K. Lahiri Chaudhury: On a point of information. It was the custom of the House that votes were counted before declaration in your predecessor's time

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Chair wishes to follow at present the precedent which was laid down before, namely, that votes are accepted at the table, but the Chair wishes to make it clear that it reserves to itself the power to reconsider the matter in all its aspects before giving its considered ruling. On the present occasion following past practice, it allows the votes to be recorded.

AYES—47.

Abdul Matin Chaudhury, Mr.	Maswood Ahmad, Mr. M.
Abdur Rahim, Sir.	Misra, Mr. B. N.
Aggarwal, Mr. Jagan Nath.	Mitra, Mr. S. C.
Ahmed, Mr. K.	Mody, Mr. H. P.
Anwar-ul-Azim, Mr. Muhammad.	Munshi, Mr. Jehangir K.
Azhar Ali, Mr. Muhammad.	Murtuza Saheb Bahadur, Maulvi
Chandi Mal Gola, Bhagat.	Sayyid.
Chinoy, Mr. Rahimtoola M.	Neogy, Mr. K. C.
Das, Mr. A.	Patil, Rao Bahadur B. L.
Das, Mr. B.	Rajan Bakhsh Shah, Khan Bahadur
Fazal Haq Piracha, Shaikh.	Makhdum Syed.
Ghuznavi, Mr. A. H.	Reddi, Mr. T. N. Ramakrishna.
Gour, Sir Hari Singh.	Sadiq Hasan, Shaikh.
Gunjaj, Mr. N. R.	Sarda, Diwan Bahadur Harbilas.
Ibrahim Ali, Khan, Lt. Nawab	Shafee Daoodi, Maulvi Muhammad.
Muhammad.	Singh, Mr. Gaya Prasad.
Ishwarsingji, Nawab Naharsingji.	Sitaramaraju, Mr. B.
Ismail Ali Khan, Kunwar Hajee.	Sohan Singh, Sirdar.
Ismail Khan, Haji Chaudhury	Suhrawardy, Sir Abdullah.
Muhammad.	Thampan, Mr. K. P.
Isra, Chaudhri,	Uppi Saheb Bahadur, Mr.
Jehangir, Sir Cowasji.	Wajihuddin, Khan Bahadur Haji.
Joshi, Mr. N. M.	Wilayatullah, Khan Bahadur H. M.
Krishnamachariar, Raja Bahadur G.	Yamin Khan, Mr. Muhamamad.
Lahiri Chaudhury, Mr. D. K.	Ziauddin Ahmad, Dr.
Liladhar Chaudhury, Seth.	

NOES—50.

Acott, Mr. A. S. V.
 Ahmed Nawaz Khan, Major Nawab.
 Allah Baksh Khan Tiwana, Khan
 Bahadur Malik.
 Allison, Mr. F. W.
 Anklesaria, Mr. N. N.
 Azizzuddin Ahmad Bilgrami, Qazi.
 Bajpai, Mr. R. S.
 Banerji, Mr. Rajnarayan.
 Brown, Mr. R. R.
 Clow, Mr. A. G.
 Cocke, Sir Hugh.
 Cosgrave, Mr. W. A.
 Czerar, The Honourable Sir James.
 Dalal, Dr. R. D.
 DeSouza, Dr. F. X.
 Dumasia, Mr. N. M.
 Fox, Mr. H. B.
 French, Mr. J. C.
 Gidney, Lieut.-Colonel Sir Henry.
 Graham, Sir Lancelot.
 Gwynne, Mr. C. W.
 Heathcote, Mr. L. V.
 Howell, Sir Evelyn.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Lal Chand, Hony. Captain Rao
 Bahadur Chaudhri.

Macqueen, Mr. P.
 Moore, Mr. Arthur.
 Morgan, Mr. G.
 Mukherjee, Rai Bahadur S. C.
 Nixon, Mr. J. C.
 Noyce, Sir Frank.
 Pandit, Rao Bahadur S. R.
 Puri, Mr. Goswami M. R.
 Raghbir Singh, Kunwar.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rama Rao, Diwan Bahadur U.
 Rau, Mr. P. R.
 Ryan, Mr. T.
 Sahi, Mr. Ram Prashad Narayan.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir George.
 Scott, Mr. J. Ramsay.
 Seaman, Mr. C. K.
 Sher Muhammad Khan Gakhar,
 Captain.
 Studd, Mr. E.
 Sukhraj Rai, Rai Bahadur.
 Tait, Mr. John.
 Wood, Sir Edgar.
 Young, Mr. G. M.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 15th March, 1932.