

LEGISLATIVE ASSEMBLY DEBATES

WEDNESDAY, 7th DECEMBER, 1932

Vol. VII—No. 8

OFFICIAL REPORT



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LEGISLATIVE ASSEMBLY.

Wednesday, 7th December, 1932.

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

QUESTIONS AND ANSWERS.

TRANSFER ORDERS OF THE DISTRICT INSPECTOR OF SCHOOLS, DELHI.

1602. *Bhai Parma Nand: (a) Is it a fact that the transfer orders of the District Inspector of Schools, Delhi, were issued by the Director of Public Instruction, Punjab, in view of his staying in Delhi for over five years, but the transfer has not been effected? If the reply to the above question be in the affirmative, will Government state the reasons why he is retained? Is it a fact that there is a Government circular under which no member of the Inspecting Staff should be kept for more than three years at a particular station?

(b) Has the attention of Government been drawn to the articles which appeared in the *Hindustan Times*, dated the 19th November, 1932, and the *Daily Tej* regarding the partial treatment of the District Inspector of Schools towards his co-religionists?

Mr. G. S. Bajpai: (a) The reply to the first part of the question is in the negative. The second part does not arise. As regards the third part I would refer the Honourable Member to the reply given by the Honourable Sir Fazl-i-Husain in this House on the 17th September, 1931, to his starred question No. 509.

(b) Yes. The articles referred to do not contain any allegation of bias specifically against the District Inspector of Schools.

GAZETTED STAFF OF THE EDUCATION DEPARTMENT OF DELHI.

1603. *Bhai Parma Nand: Is it a fact that the gazetted staff of the Educational Department of Delhi consists of Christians and Muhammadans only? If so, how is it that the Hindus who form the majority community of the Delhi Province have been denied representation in that department? What action do Government propose to take in this matter?

Mr. G. S. Bajpai: There are only three whole-time gazetted officers in the Education Department of Delhi, besides the Superintendent of Education, who is in charge of the Education Departments in three centrally administered areas, viz., Delhi, Ajmer-Merwara and Central India, and who is an Indian Christian. Of these, the Assistant Superintendent for Girls' Education is a Christian and the District Inspector of Schools and the Headmaster, Government High School, Delhi, are Muslims. The present incumbents of the two last mentioned posts are the first Muslims to hold these posts permanently. Before their appointments the two posts had for many years been held by Hindu officers. Honourable Member will appreciate that postings of educational officers cannot be made exclusively with regard to communal considerations.

TEXT BOOK COMMITTEE OF THE DELHI PROVINCE.

1604. ***Bhai Parma Nand**: Is it a fact that the Text Book Committee of the Delhi Province is composed of eight Muslims, six Christians and six Hindus? If so, why is it that the proportion of Hindus is kept so low?

Mr. G. S. Bajpai: No. The Text Book Committee of Delhi Province is composed of five *ex-officio* members of whom three are Muslims and two Christians, 11 elected members of whom six are Hindus, three Muslims and two Christians, and five members nominated by Government, of whom two are Hindus, two Muslims and one Christian. The total Hindu membership is, therefore, eight and not six, as against eight Muslims and five Christians.

TEXT BOOK COMMITTEE OF THE DELHI PROVINCE.

1605. ***Bhai Parma Nand**: (a) Is it a fact that in the sub-committees of the Text Book Committee, Delhi, the Hindus are only one-fourth, while three-fourths consist of non-Hindus in every sub-committee? Is it a fact that books written and published by Hindus do not find favour with the sub-committee? Is it a fact that the number of Hindu pupils of the schools in Delhi Province is more than two-thirds of the total?

(b) Will Government be pleased to lay on the table the list of books rejected and approved for the libraries with the remarks of the members for their rejection and approval within the last five years?

(c) Are Government prepared to take any step to remove the grievances of the Hindus? If so, when?

Mr. G. S. Bajpai: (a) No.

(b) A set of the circulars issued by the Text Book Committee during the last five years which gives a list of books approved and rejected has been placed in the Library. It is regretted that the Honourable Member's request to be supplied with the remarks of the various members of the Committee on the books accepted and rejected cannot be complied with as the compilation of such a record would involve an expenditure of time and labour out of all proportion to the value of the results achieved.

(c) In view of replies to (a) and (b), this does not arise.

TRAINING OF INDIAN NURSES IN THE LADY HARDINGE HOSPITAL, DELHI, AND THE LADY READING HOSPITAL, SIMLA.

1606. ***Mr. Bhuput Sing** (on behalf of Mr. S. G. Jog): (a) Will Government please state whether there are Training Schools, attached to the Lady Hardinge Hospital, Delhi, and the Lady Reading Hospital, Simla, for the training of Indian nurses? If so, how many nurses were trained during the last four years at Delhi and at Simla?

(b) Out of the total number of nurses trained at the Lady Hardinge Hospital, Delhi, and the Lady Reading Hospital, Simla, how many were Hindus, Christians, and Muhammadans and of other communities?

(c) Are they held eligible for promotion to "sisters of the Hospitals" or "matrons"? If so, after how many years? Will Government please state the names of matrons and sisters in the Lady Hardinge and the Lady Reading Hospitals, with their pays and other allowances attached to their posts?

(d) When are Indian nurses held to be eligible for promotion to "Nursing Sisters", either in the nursing homes or in hospitals?

Mr. G. S. Bajpai: (a) Yes; 29 in Delhi and four in Simla.

(b) Christians 26, Muhammadans three, Hindu one and other communities three.

(c) Yes; provided that they have had the requisite training and have had experience as staff nurses in charge of wards. A statement giving the information asked for in the last part of the question is laid on the table.

(d) When they have completed successfully four years' training in a recognised training school for nurses, have passed any other examination prescribed by the hospital concerned and have had experience as staff nurses in charge of wards.

Statement showing the names, pay and allowances of the Matrons and Sisters of the Lady Hardinge Medical College Hospital, New Delhi, and Lady Reading Hospital, Simla.

Name.	Pay.	Allowances.			
		Diet.	Dhobi.	Teaching.	Uniform.
LADY HARDINGE MEDICAL COLLEGE HOSPITAL, NEW DELHI.					
<i>Matron.</i>					
Miss L. M. Minchin . . .	Rs. 400 to 450 per mensem.	Rs. Nil	Rs. 5 per mensem.	Rs. Nil	Rs. 25 per quarter.
<i>Nursing Sisters.</i>					
Miss I. M. Reynolds . . .	200 to 250 per mensem.	50 per mensem.	"	"	"
Miss A. I. Massey . . .	"	"	"	"	"
Miss E. Mitchell . . .	"	"	"	"	"
Miss E. Harris . . .	"	"	"	"	"
Miss B. M. Barnham . . .	"	"	"	"	"
Miss Hastings-Price . . .	125 to 150 per mensem.	"	"	25 per mensem.	"
LADY READING HOSPITAL, SIMLA.					
<i>Matron.</i>					
Miss Mellowes . . .	250—15—350.	50 per mensem.	6 per mensem.	"	8 per mensem.
<i>Assistant Matron.</i>					
Miss King . . .	170—10—250.	"	"	"	"
<i>Sister.</i>					
Miss Bee . . .	150—5—200.	"	"	"	"
<i>Temporary Sister.</i> (9 months).					
Mrs. Kellett . . .	150	"	"	"	"
<i>Junior Sister.</i>					
Miss Nath . . .	100	25 per mensem.	3 per mensem.	"	3 per mensem.

DEMAND OF SECURITY FROM THE KEEPER AND PRINTER OF THE NATIONAL CALL, AN ENGLISH DAILY TO BE STARTED FROM DELHI.

1607. ***Mr. K. P. Thampan** (on behalf of Shaikh Sadiq Hasan): (a) Will Government please state if, when the keeper, printer and publisher of the *National Call*, a new English daily, to be started at Delhi filed declarations under the Press and Registration Act of 1867, before the District Magistrate, he was asked to furnish securities of Rs. 1,000 each as keeper and printer of the *National Call* Press and newspaper separately?

(b) Will Government explain the reasons that weighed with the authorities concerned to demand security from a paper yet to be started?

The Honourable Mr. H. G. Haig: (a) Yes.

(b) Security was demanded under the provisions of sections 3 (1) and 7 (1) of the Indian Press (Emergency Powers) Act, 1931, as the District Magistrate had reason to believe that the person making the declaration had been associated with anti-Government activities.

Mr. Gaya Prasad Singh: Will Government kindly state if in the order of the District Magistrate specific reasons have been specified or not?

The Honourable Mr. H. G. Haig: I am afraid I am not in a position to say precisely what was specified in the order.

RE-EMPLOYMENT OF RETRENCHED PERSONNEL OF VARIOUS COMMUNITIES IN THE OFFICE OF THE ACCOUNTANT GENERAL, CENTRAL REVENUES.

1608. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that in the office of the Accountant General, Central Revenues, members of various communities have not been re-employed in the same proportion in which they were retrenched in March, 1932? If so, do Government propose to take early steps for the re-employment of retrenched personnel of various communities in the same proportion in which they were retrenched?

(b) Is it a fact that some fresh recruits belonging to the minority communities, some of whom have not even passed the recruitment examination, have been appointed, whereas a large number of the retrenched personnel of the same office belonging to the majority community, and who have passed the recruitment examination, are still out of employment? If so, why?

(c) Is it a fact that in the case of the Accountant General, Bengal, definite instructions were issued that the retrenched personnel of the various communities should be re-employed in the same order in which they were retrenched? If so, will Government be pleased to state why a different practice has been followed in the office of the Accountant General, Central Revenues?

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

ENHANCEMENT OF FEE FOR THE REGISTRATION OF TELEGRAPHIC ADDRESSES.

1609. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that in October, 1931, the fee for the registration of telegraphic addresses was enhanced from Rs. 15 to Rs. 25 per address per year, and from Rs. 7-8-0 to Rs. 15 for six months, in spite of the protests of the interests affected?

(b) Is it a fact that the enhanced rate was in force till the 15th August, 1932, but it was reduced to Rs. 20 per year from the 16th August, 1932?

(c) Will Government kindly state the revenue derived every year from these registrations during the five years previous to the enhancement of the rate, and how this revenue was affected by the increased fee; and what is the position now since the 16th August, 1932?

(d) Do Government propose to revert to the old rate in the interests of the trade and commerce of the country?

Mr. T. Ryan: (a) No. The enhancement was made first; the protests were received subsequently.

(b) The rate was reduced from the 10th August, 1932, after consideration of the protests to which reference has been made.

(c) The revenue derived from the registration of public abbreviated addresses during the five years 1926-27 to 1930-31 previous to the enhancement of the rates was in thousands of Rupees 463, 479, 486, 485 and 481 respectively. As a result of the enhanced fee introduced from October, 1931, there was an increase in revenue in 1931-32, the fees collected during the year being 531 thousands. As a result of the reduction from Rs. 25 to Rs. 20 in August, 1932, there has been some decrease in revenue but it is not possible to ascertain the full result of the change until it has been in force for at least a year.

(d) Having regard to the charges made for the registration of telegraphic addresses in other countries and the value of the concession to the public, Government are satisfied that a charge of Rs. 20 in India is moderate and do not propose to revert to the rate which was in force prior to October, 1931.

MISAPPROPRIATION CASES OF POSTAL OFFICIALS IN THE PUNJAB POSTAL CIRCLE.

1610. ***Kunwar Hajee Ismail Ali Khan** (on behalf of Mr. M. Maswood Ahmad): (a) Will Government be pleased to furnish the following information for the last three years so far as the Punjab Postal Circle is concerned:

- (i) the total number of cases of misappropriation by postal officers,
- (ii) the total number of postal officials prosecuted,
- (iii) the total number of officials convicted by courts, and
- (iv) the total number of officials discharged or acquitted?

(b) Will Government be pleased to state whether in the Punjab Postal Circle the courts held responsible for misappropriation persons other than those prosecuted by the department during the last three years?

(c) If the reply to part (b) be in the affirmative, will Government be pleased to state whether the officials actually held responsible were prosecuted by the department and, if not, why not?

(d) Will Government be pleased to state particulars of the officials referred to in part (b) above?

(e) Will Government be pleased to state whether the Postal officials acquitted by courts were re-instated in their posts forthwith and if not, why not? Is such re-instatement required by the rules?

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

RECRUITS TO THE BRITISH ARMY IN INDIA AND BURMA.

1611. ***Mr. Nabakumar Sing Dudhoria:** Will Government be pleased to state:

- (a) the number of recruits that have been made to the British army intended to come out to India and Burma;
- (b) whether it is a fact that raw youths whose ages vary from 16 to 18 years have largely sought recruitment to such armies of late; and
- (c) if the answer to part (b) is in the affirmative, the percentage of youths of such ages in the already recruited armies?

Mr. G. R. F. Tottenham: (a) No portion of the British Army is specially recruited for service in India.

(b) Except for boys recruited for special purposes for example as buglers, the minimum age for recruits is eighteen years. Government have no information regarding the number of persons under that age who have attempted to enlist.

(c) Does not arise.

THE CRIMINAL LAW AMENDMENT BILL—concl'd.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Further consideration of the motion:

“That the Bill to supplement the Criminal Law, as amended, be passed.”

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I feel fortunate that I have to speak first on this Bill today. I am not used to give vent to expressions which are harsh or disagreeable, but I must, in my humble way, lay a strong protest against this Bill which is very drastic and oppressive. Sir, I, as a lawyer, know that there are sections in the Indian Penal Code dealing with waging war against the State, but I would like to know from the Honourable the Law Member or the Treasury Benches if there is any law which can apply to them when they wage war against the public and under what sections can they be punished? Sir, this is really waging war against the public so far as this Bill is concerned. It is not only a war with the Congress, it is not only with the parents and guardians, but it is a war with all people, inclusive of, I must say, the last but not the least, the Press of India. Sir, it appears to me that the claim that the Honourable the Home Member makes in this House that it is very necessary that this Bill should be enacted for the purpose of putting down civil disobedience has no foundation. I think it will suffice for me if I were to place before the House a contradiction to that statement in the pronouncement of His Excellency the Viceroy himself. In his speech on the 5th September, 1932, His Excellency said thus:

“The no-rent campaign in the United Provinces has died out and the red shirt movement in the North-West Frontier Province was rapidly brought under control. Over the greater part of India the mass of population is no longer concerned with the civil disobedience movement.”

Sir, in the face of this statement and the fact that since then nothing has happened to show that this civil disobedience movement has revived, it does not appear to be necessary at all that this Bill should be enacted at a time when the new constitution is to come in. Sir, in certain quarters they very rightly think that the intention of the Government Benches is not to enact this Bill for the purpose of combating the civil disobedience movement, but to create a coercive measure for the purpose of making the country accept the constitution and work it under its fear. If that is the intention, it is not a laudable one at all. If the new constitution is bad, certainly it will not be worked; but if it is good, it will be worked and there will be no necessity of such Ordinances or Bills being passed. It is the good-will of the people that should be secured; it is not by coercive measures or by disastrous Acts that it can be obtained. I, therefore, submit that the very first basis for the passing of this Bill, namely, that there is necessity of putting down civil disobedience, falls through.

Then, Sir, considering the Bill, we find it very drastic. Waging war, as I said, has really been done in this case. There were several amendments, and very reasonable ones, put up in order to see that the rigour of this Bill was minimised, but one and all have been refused. That is the mentality with which this Bill is being passed. Then, there is a great fear that when a war has been waged in this House with the result that they have been able to pass this Bill, what will be the consequence of it, when it goes out into the country for being worked? We know how the unscrupulous police have worked the Ordinances, and unless a very vigilant eye is kept on the police and proper instructions are given to them, we will consider that the war will only begin when this Bill goes out into the country and is handled by the police. Sir, we know that armed with such powers, they will consider themselves the rulers of the country and they will say that they are the masters of all that they survey. They will use this Act in a manner which will be very objectionable; they will make *lathi* charges and will not hesitate to use their fire arms. Therefore, this law is likely to be used very wrongly and I think it behoves Government at least to see that the police make use of this Act moderately. The most important feature of the Bill is that Government have given all powers to the police. Whenever they were asked that the powers should be given directly by a complaint to a Magistrate, the reply was: "No; the Act will be minimised to such an extent that it will not serve its purpose." That is however not justifiable. Then, Sir, considering the Bill itself, what we find is that it is bad from the very beginning. Though it is styled to be temporary, it is not temporary when it has to live for three years.

Considering clauses 2 to 7, we find that their provisions are so worded that they will be misused. The words which were suggested in the amendments for improvement have all been refused. With regard to the picketing clause specially, I submit that it is a very hard one, when there is no demarcation line drawn, and it aims, as has been said by the Home Member, at putting down picketing of any nature, which is certainly unreasonable. With regard to this, I may mention an incident which happened the other day. While Mr. Jadhav was speaking on this clause, asking for its deletion, Rao Bahadur Captain Lal Chand got up to oppose Mr. Jadhav, and, Sir, what happened? The Press published all that he said in my name, and it was said in the papers that the opposition came

[Mr. Lalchand Navalrai.]

from Mr. Lalchand Navalrai. It was an unfortunate event and the correction, of course, came the next day, but the mischief was done. Sir, I assure the House and the Press that I cannot possibly go into the nominated shoes of Captain Rao Bahadur Lal Chand (Laughter) and I hope the Press will in future be careful to distinguish between me and the Rao Bahadur.

The Honourable Mr. H. G. Haig (Home Member): I hope the Honourable Member does not blame the Ordinances for that. (Laughter.)

Mr. Lalchand Navalrai: Sir, I suggested that there ought to be a line drawn and that line should be that peaceful picketing of a harmless nature should be allowed. But that also has not been conceded. Then, with regard to clause 8 of the Bill, the parents have been made punishable, and the sympathy of the parents and guardians has no doubt to go away on that account.

Lastly, I would refer to the effect of it on the Press. Sir, the Press is powerful everywhere; it is the Press that governs the Governments in other countries. But here it is quite different, because here it is the foreign rulers who rule the Press and gag the Press so that the grievances of the public could not be ventilated. It may be that one or two papers committed mistakes, but on that account it cannot be held that the law must be so strict as to gag the entire Press of the country. The effect of this is to leave the currents to work underground. I submit that these drastic measures, which have been incorporated into this Bill, could not be introduced in any country where the Press makes public opinion. Here there has been a great check on the Press in giving utterances to grievances of even a reasonable nature. With these words, I oppose the passing of this Bill.

Sir Abdur Rahim (Calcutta and Suburbs: Muhammadan Urban): Sir, I cannot allow this Bill to pass on to the Statute-book without entering my final and most emphatic protest. Sir, the Bill has been discussed clause by clause, and I should be doing injustice to the House if I were to attempt to discuss the clauses over again. What I wish to point out is, and I do so with absolute confidence, that this is not merely bad law, but it purports to abrogate whatever rule of law we have, to regulate the political activities in this country; this measure seeks to substitute executive discretion and power for the judgment of the Courts.

Now, that is a thing which, I submit, cannot be justified at all. We have heard a great deal about what is called the dual policy. I say, that there can be no such thing as a dual policy. There can be only one policy—a policy either of progress towards freedom or going back towards obscurantism and bureaucracy. It is said that the new constitution will provide for responsible Government and, therefore, it is necessary that we should arm that Government with powers which will enable the Government to preserve law and order in the country. Is it necessary really to enact a law of this character in order to preserve law and order, to ensure peace in the country? I know that my Honourable friend, the Home Member, thinks that it is, but unless he is prepared to lay down that what his Government think is right, or that the Government are always right, and, therefore, popular opinion cannot count at all, then and then alone this Bill can be justified.

Only yesterday we heard a great speech from the Honourable the Finance Member who is just now not in his seat; it was a very eloquent speech appealing for co-operation and that appeal was very generously responded to even on this side of the House. May I ask, if today Government are prepared to respond to appeal for co-operation from this side of the House? Co-operation, if I understand the word at all, must be in the nature of participation in the counsels of Government. But how can there be any co-operation if the Government think that they are always in the right and they only ask us to endorse their policy? That is the state of things to which we are reduced at present. If this is co-operation, I am afraid that it will not advance any cause which even the Government may have in view. What we have been told and what lies underneath this measure is this: that the Congress is out for civil disobedience and we want a law of this character to check and suppress the manifestations of that movement. We have argued time after time and pointed out that provision after provision go far beyond the scope of any such measure. I have pointed out that there are sections in the Penal Code, the Criminal Procedure Code and the other penal laws by which it is possible for the Courts to deal with crimes which can be fairly described as civil disobedience. But the case of the Government, I understand, is: "No; that is not sufficient; the Courts are unable to deal with manifestations of civil disobedience; you must arm the executive with absolute discretion in the matter and you must oust the jurisdiction of the Courts, so that the civil disobedience movement can be effectively dealt with." That, Sir, is a proposition which we do not accept and which we dispute entirely. I have pointed out and it has been pointed out by other Honourable Members that the Government do not need such a law so far as activities in the nature of civil disobedience, or whatever it may be called, are concerned. Government can meet all these activities with the ordinary law, because the Congress policy is not to escape the law, but to face its penalties fully and, if necessary, to fill the jails. That is their policy. Since no such law as this is needed for that purpose, we argue that the object of this law is something else, it is something more; and that is, to strike at the political liberties and the political rights of the people in general. I notice in the papers that the Round Table Conference has sanctioned and has given their approval to the power of issuing Ordinances being retained by the Governor General; not only that, but that power is to be extended to the Governors of Provinces as well. Even that apparently is not sufficient

An Honourable Member: Ordinances for all time.

Sir Abdur Rahim: Yes; as has been rightly pointed out, the Governor himself can pass Acts. If this is not superseding the Legislature altogether, I should like to know what is. The Governors can pass Acts of their own without any reference to the Legislatures, without being under any necessity as at present for certifying legislative proposals which are submitted to the Legislatures and rejected by them. Even all that is not sufficient: we must pass laws in anticipation of the future Government which will give that Government absolute power to deal with the political rights and liberties of the people in any way they like. Now, I ask, is this the way by which the Government seek our co-operation? Is this the response which they give to the co-operation which was

[Sir Abdur Rahim.]

extended to them only yesterday? Today they have a splendid opportunity to give a proper answer to the gesture held out by my friend, Sir Hari Singh Gour, and some of his colleagues on the Nationalist Benches. I ask, if the Honourable the Home Member will rise to the occasion and persuade his Government that, after the way this Assembly has sanctioned the Ottawa Agreement, which must be of great economic advantage to Great Britain, when this Assembly has shown so much generosity at the sacrifice, as I think, at the great risk at any rate, to our own industries, will the Honourable the Home Member persuade his colleagues that now the time has come when they must adopt a different attitude? No, Sir, co-operation is sought only from us for all their measures. That is not the sort of co-operation which will improve matters. It will only show to the people that whatever we may do to comply with the wishes of the executive even in matters of the greatest importance, the executive are obdurate, they will not listen to any reason, they will not listen to any entreaties, to any supplications from the representatives of the people on this side of the House. They are bent upon pursuing their own course. They think that their judgment is infallible, they cannot go wrong, and whatever be the popular opinion, that must be wrong, and not they.

Now, Sir, that is not the attitude which will advance self-Government in the country or the smooth working of law and order. The Government should realise that they also can make mistakes at times. May I allude to what happened in connection with the scheme of the Simon Commission? Representatives of the people were called in conference by Lord Irwin, and they warned him emphatically and clearly that a proposal like that would not meet with the approbation of the people. A Commission like that could do no useful work, but he persisted in his course, and what was the result? We know that for nearly four years agitation has been going on growing in intensity every day, and yet we are no nearer the Constitution. It has not in any way tended to pacify the people. I say, it would be wise for the Government to listen to popular opinion at times. This is a measure which is opposed entirely to public opinion in the country, I mean the Indian public opinion. I have not seen in any newspaper or any speeches on any public platform supporting a measure of this character

An Honourable Member: What about the *Statesman*?

Sir Abdur Rahim: I said Indian public opinion.

An Honourable Member: What about the Bombay Council and the U. P. Council?

Sir Abdur Rahim: Sir, I am not an advocate, I could not possibly be an advocate of anything like civil disobedience movement, having spent my whole life on the Bench and the Bar throughout in helping the administration of law, but this is not the sort of law which will ensure peace and order in the country. It may suppress certain manifestations for the time being, but it will not ensure the smooth working of any constitution. That is my main objection to this Bill.

As regards my Muslim friends on my left, it was pointed out that only the other day in Chittagong how a certain section of the Muhammadan population of that town suffered at the hands of the police and the military. I think the Honourable the Home Member said that the account was not true. I have not seen the official denial, but I may remind him that an outrage of a far more serious character occurred in a village in Barisal not very long ago, an outrage which was described by the organ of the Labour Party in England as even worse than that of Jallianwala Bagh. We tried our best to obtain some remedy, some investigation into what happened, but no such inquiry was vouchsafed to us. Only a departmental inquiry was held, and nobody yet knows what the result of that departmental inquiry was. Sir, if you have a bad law, a law of general application which every law must be, its operations are bound to affect every community and every individual alike. The whole point, therefore, is, it is not a question between Hindus and Muhammadans or any other community or sect, but the only question is whether it is a good and proper law to have on our Statute-book. I know, Sir, communal feeling and communal distrust is so strong now that our decision on almost any question even though it has nothing whatever to do with any particular communities is deflected by that feeling. This is very unfortunate. It cannot be too strongly deprecated, but there it is. But I appeal to the Government that they should not take advantage of this feeling and thereby put on the Statute-book a law which cannot be justified in the light of reason or experience.

Sir, one last word of appeal to the Government. I know that appeals to the Government Benches coming from this side produce no effect, but yet I venture to suggest to the Government Benches that from my own experience of public life, a pretty long experience, I can assure them that a law of this character will not help in any way to achieve the object they have in view. The object they have in view is, I take it to ensure peace and order and progress in the country. If that is the object then a law of this character is bound to be resented by the people. The people are bound to think that this is a law passed by arbitrary authority against their interests, and if that is the popular feeling, if every Indian thinks like that or the bulk of Indians think like that, then, in that case, the Government cannot benefit by a law of this character. Sir, perhaps it is too late for the Government to reconsider their position. At the same time, it is in their power to see that the law, harsh as it is, arbitrary as it is, should be enforced with consideration and kindness towards the people, not with the object of suppressing their liberty, but with a view to seeing that only persons, who infringe the law, who do harm to the community, are dealt with under this law.

Mr. Arthur Moore (Bengal: European): I think that the Honourable the Law Member (the Leader of the House) and the Honourable the Home Member are entitled to be issued pilots' certificates, because their patience and skill have so far found a smooth passage for this controversial measure. My Honourable friend, Sir Abdur Rahim, has gone back to what he considers the original sin, the power to issue Ordinances, and he has criticised the fact that apparently at the Round Table Conference it is proposed that certain reserve powers of that character should exist under the new constitution. Well, my Honourable friend must know that those powers exist in every constitution in the world. He must know that in the

[Mr. Arthur Moore.]

British Constitution there is not only such a thing as the Royal Prerogative (Laughter.)—the Royal Prerogative is a reserved power—there is also the power of issuing Orders in Council. But I would call the attention of my Honourable friend, Sir Abdur Rahim, to what the Government are actually doing, for I congratulate the Home Member and the Government that they have taken the bold constitutional course and have come to this House and asked it to pass this Bill, and have not been content to rely upon Ordinances. I would like also to congratulate the large majority of the House on the support which it has given to the Leader of the House and to the Home Member in their long and cheerful labours on behalf of what is essentially the cause of public security and tranquillity. I would say to my Honourable friend that I know of no better augury for the working of the new constitution than the obvious growth of the sense of responsibility not only in this House but in the Provincial Legislatures. This is the same House which, in its first Session in January, 1931, by as large a majority as it has lately been giving to Government shelved the Bill for the suppression of outrages in Bengal, and was clearly hostile to the Press Bill and the Unlawful Instigation Bill, measures which the Government in fact withdrew. Sir, I think we have learnt our lesson, and I would call the attention of those Honourable Members opposite who still oppose the passage of this Bill to the fact that the Provincial Legislatures have been passing the Supplementary Security Bills by very large majorities, in some cases by clear unofficial majorities, and in some cases without even a division. Nor has this House ever within the last fifteen months refused to give the Government the necessary powers to deal with an abnormal situation. To my mind, recognising that the Legislatures of this country are very sensitive to public opinion, that is a convincing proof that His Excellency Lord Willingdon and his Government, and the Provincial Governments dependent on it, are correctly interpreting the wishes of the great majority of the citizens of this country in the firm stand that they have taken against the civil disobedience movement, and that the majority of the citizens of this country increasingly disapprove of lawlessness. But I will go further than that and say to my Honourable friend that the Legislatures, by the steady support that they are giving to Lord Willingdon, are going far to prove that those who fear to give the Indian Legislatures a greater measure of responsibility and to India a larger measure of self-Government, are wrong, and that the offer of responsibility does bring the sense of responsibility. One more point. The signatories to the Minority Report conclude their report with the observation that repressive measures have never been known to cure political discontent. Well, I do not think it has ever been suggested that this measure is designed either to kill or to cure the natural and proper aspirations of every self-respecting man in this country to see India a great, united and self-governing nation. As I understand it, the object of this Bill is to check those who seek to create a chaos that would wreck those aspirations. Those aspirations are being diligently pursued by British and by Indians in friendly counsel together in London. But in addition to securing a fair field for its successor there are constructive measures which the present Government can undertake in order to remedy discontent. I should like to give the strongest possible expression to the hope that in addition to passing this necessary security measure, the Finance Member will vigorously prosecute his scheme for the creation of an economic council and the undertaking of an economic

survey, and that the Provincial Governments will follow suit and undertake new and bold economic plans for the development of the resources of their provinces.

Maulvi Sayyid Murtuza Saheb Bahadur (South Madras: Muham-madan): Before recording my opposition to this Bill, I have to recite one Persian couplet and explain its meaning. It runs as follows:

"Ba har range ki khâhi jâma mi posh,

"Mun andâze qadat ra mi shanâsam."

It means, "You may put on various kinds of dress to evade identification, but I can, from your very stature, make out what you are and what you are about."

Sir, this Bill is going to be passed into law apparently with the object of suppressing the civil disobedience movement, but we on this side at any rate are strongly of opinion that it is to curb our elementary rights, to undermine nationalism in India, to muzzle the Press, and to torpedo public opinion. The object of the Government at the outset was to have a perpetual measure of this kind on the Statute-book. Fortunately for us the Select Committee did not approve of it. In this connection, I am of opinion that our friends who walked out of the Select Committee were not just in having done so. Had they remained in the Select Committee, they would have proved themselves more useful to the country than the course they resorted to.

Sir, the civil disobedience movement, when it was revived for the second time, I may say, was the result of unwise policy on the part of the Government. I will even go to the extent of saying that it would not have been revived had the present Government pursued the policy of Lord Irwin. When Gandhiji was prepared and even signified his willingness to extend the hand of co-operation, Government would not accept it on the plea that the no-rent campaign had already been started. We are of opinion that if an occasion had been offered for an interview between Gandhiji and Lord Willingdon, matters would have ended in a different way. The civil disobedience movement would not have been revived. It was said by the representatives of the Government that this measure was deemed highly necessary, rather indispensable for meeting the civil disobedience movement, but the other day my Honourable friend, the Secretary of the Nationalist Party, proved to the hilt that this movement was constitutional. The Law Member and the Home Member could not question the authority quoted by him. Of course, much stress was laid on the point that maintenance of law and order was quite necessary and, therefore, a measure of this kind was equally necessary, but legal luminaries, I mean the Leader of the Nationalist Party and the Leader of our Party, have thrown sufficient light on the point that no new laws were necessary to meet even the civil disobedience movement. Then, my Honourable friend, the Secretary of our Party, has shown with facts and figures and, with the help of photos, what kind of excesses were committed by the police and another friend, the Chief Whip of our Party, I mean Mr. Abdul Matin Chaudhury, also proved what atrocities were committed in the North-West Frontier and in Chittagong. I may bring to the notice of the Government that a challenge has been thrown to Sir Samuel Hoare by Miss Wilkinson on the Mardan incident. Mardan is a place which is supposed to be the centre of the Red Shirt activity.

Major Nawab Ahmad Nawas Khan: You are referring to Charsadda.

Maulvi Sayyid Murtuza Sahab Bahadur: Charsadda is a place near Mardan. I know as much geography as my Honourable friend knows. During the visit of the delegation to Mardan in the North-West Frontier Province, the delegation saw a completely unprovoked assault by the police on an unarmed and inoffensive crowd. The Political Agent asserted that the outrage had been committed not by the police, but by the Red Shirts dressed in stolen police uniform. Miss Wilkinson that morning asked the Inspector General of Police and the Deputy Chief Secretary and the Deputy Commissioner whether the statement of the Political Agent could be true. All replied: "Of course not." The Deputy Chief Secretary, according to Miss Wilkinson, added, if you had told us you were going there, we should have given clear instructions that beating should not take place while you were there. Miss Wilkinson challenged Sir Samuel Hoare to confirm or deny the story from official sources and it has not been denied as yet. In the face of such excesses, which are committed by the police, how will you be justified in arming the Government with additional power? It is good-will which is necessary to enlist the co-operation of the governed and not drastic measures of this kind. The Government should realise:

" Raiyyat chu bekh asto Sultan darakht."

The governed are like the roots of a tree and the Government may be compared to the tree. If the roots get weakened, the tree falls to the ground. If the Government create disaffection and ill-will, instead of good-will and affection with the governed, they cannot run the government smoothly.

Sir, the House may be aware of the fact that the present officiating Governor of the North-West Frontier Province, I mean His Excellency Mr. Cunningham, whom many of us had the honour and privilege of knowing personally, went on horseback travelling a distance of about 150 miles receiving Pathans, Khans, even of the place mentioned by my Honourable friend, Major Nawab Ahmad Nawaz Khan, which was a centre of "Red Shirt" activities. How was he received? He was received

12 Noon. warmly. He showed affection towards the governed, and they reciprocated the same feeling with due respect. Sir, the Government of India and also the Provincial Governments may take a lesson out of this incident and realise that affection breeds affection, good-will breeds good-will, and that without good-will and affection, they cannot go on governing India.

Sir, much stress was laid by my Honourable friends, the Law Member and the Home Member, on the point that the present Government were interested in this measure only because of two things—first, in order to maintain law and order and to leave a good legacy to the would-be Government of India, assuring us, at the same time, that the Government were ready to make over almost all of their powers to the new Government under the new constitution. Now, our Leader has shown as to what kind of power we are going to get under the new constitution. Sir, it is an illusory power.—a power which will perpetuate the Ordinance-raj, a power which will undermine the very vitality of India, a power which will sap the whole of the Indian nation. (Hear, hear.)

Sir, the House is fully alive to the fact that dyarchy has proved an utter failure in many a province. Of course it proved successful, they say, in the province I come from, I mean Madras. But even there we know what kind of success the dyarchical form of Government has produced.

Now, so far as our Liberal friends are concerned, they thought at the outset that they could successfully carry on the administration under dyarchy, but very soon afterwards they all had to repent for having accepted office and they tendered their resignations, and we know what the evidence, that they gave before the Commission, was. They said, they were powerless, and that they could not do justice to their policies. Now, we are again going to have the dyarchical form of Government hereafter. Of course, the other day, it was shown that this measure is superfluous, and the only reason which was assigned by the Honourable the Law Member was that so far as picketing was concerned, the present law did not serve the purpose. But I would ask the Government as to under what law so many peaceful picketers have been and are being prosecuted? The fact goes to prove that the present law is quite sufficient to meet all these contingencies.

The Honourable Sir Brojendra Mitter (Law Member): No, Sir. They have been prosecuted under the Ordinance—not under the ordinary law.

Maulvi Sayyid Murtuza Saheb Bahadur: Our contention is that so far as peaceful picketing is concerned, there is nothing wrong in it. My Muslim friends should know that when prostitution was being picketed in Peshawar, they were not allowed to do that. I ask, how can any Muslim come forward now and say that prostitution and the liquor shops should not be picketed (Hear, hear) on religious grounds? Sir, prostitution and liquor shops should necessarily be picketed on religious grounds, as without that these vices must continue

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): There is no such injunction of Islam that these things should be picketed. My Honourable friend is wrong.

Sir Abdulla-al-Mámün Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Is not the law of Islam enough to prevent Moslems from whore-mongering and wine-bibbing?

Maulvi Sayyid Murtuza Saheb Bahadur: If the laws of Islam cannot be enforced under the present Government, does it not become necessary that volunteers should come forward to help the Muslims in the observance of the laws of Islam?

Sir Abdulla-al-Mámün Suhrawardy: Declare a *Jehad* and proclaim India *Darul Harb*.

Maulvi Sayyid Murtuza Saheb Bahadur: May I know, if my Honourable friend is prepared to declare a *Jehad*? Are you prepared to declare India, *Darul Harb*?

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

Sir Abdulla-al-Mámün Suhrawardy: I am prepared to follow a Muslim *Ameer* (Leader) and not a *Mushrik*.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): No interruptions, please.

Major Nawab Ahmad Nawaz Khan (Nominated Non-Official): With your permission, Sir, about the Peshawar picketing,

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Order, order. Please resume your seat (addressing Major Nawab Ahmad Nawaz Khan).

Maulvi Sayyid Murtaza Sahab Bahadur: Sir, I have to make only one observation in concluding my speech. Throughout this Bill, Sir, no spirit of accommodation was displayed either by the Honourable the Law Member or by the Honourable the Home Member, as was expected of them. Our friends behind do concur with me in this view. Now, will they go with me into the same Lobby as I go to? (Laughter.) Sir, very reasonable amendments were all rejected by Government. I associate myself with the Leader of my Party and the other speakers in requesting the Home Member to kindly see his way to mitigate the rigour of this Bill, if not in words, at least in actual practice. With these few words, I oppose the motion.

Dr. E. D. Dalal (Nominated Non-Official): Mr. President, I rise to support the third reading of this Bill—the Bill to supplement the Criminal Law. Sir, the main impression which emerges from the discussions on this Bill extending over several days is the vital necessity of preserving law and order. It is inconceivable that this Honourable House could disregard this Bill, the object of which is to ensure the maintenance of law and order. If, however, it does disregard the Bill, I fear it will arouse the derision of all civilized nations of the world, because it would imply that the Indian Legislative Assembly is in favour of anarchy, disorder, and terrorist crimes. (*Mr. B. V. Jadhav*: “Nothing of the sort.”) I am strongly of the opinion that in the present deplorable circumstances this Bill is absolutely essential to the welfare of the people of India. I confess that it may not appeal to the Honourable Members whose vision is obsessed by suspicion, distrust, and misgivings. But, Sir, by bringing forward this Bill Government have only met a demand which has frequently been made to the effect that if emergency powers and special powers are required, they should be obtained by legislation. This Bill does not affect the law-abiding citizens. It will not do any harm to anyone who will not attempt to make orderly Government impossible. Sir, the Congress is admittedly the strongest and the best organised political force in India; and it has unquestionably succeeded in rousing the masses. This success is due very largely to the Vernacular Press. There is no doubt that a torrent of misrepresentation, perversion, and sheer invention has poured from the Vernacular Press. The vernacular newspapers have encouraged the spirit of lawlessness by praising to the skies every manifestation of defiance of the law, and have stimulated the centres in the occipital lobes of the cerebrums of their readers, that is to say, they have stimulated the lower passions of their readers by every means ranging from salacious advertisement to the condonation of murder. Mr. Gandhi, the Apostle of the boycott of British goods, is very keen on the advertisement of Indian goods. This idea goes no farther than the advice to buy British goods, which is common enough in England; and this Bill does not interfere in any way with this procedure. But it will be conceded that shopkeepers require protection from intimidation by picketers when leaflets are distributed falsely alleging that Manchester cotton goods are dyed with the blood and sized with the fat of cows and pigs. There is no burking the fact that in Guzerat, the chief centre of the so-called non-violent resistance to law, the boycott and intimidation

of officials and the incitement of the peasantry against payment of the Land Tax were carried very far. In normal times such intimidation can be dealt with by the ordinary law, but the widespread attempt to paralyse Government by the organisation of illegality has compelled Government to bring forward this Bill to protect officials and private individuals in the exercise of their lawful avocations and to protect the gallant and hard-tried police force from an incessant campaign of vilification and menace. Sir, I respectfully ask—does any right-minded Indian desire to return to the dreadful conditions of 1930 civil disobedience campaign, namely, the horrible carnage and bloodshed of Cawnpore, the ghastly tragedies at Sholapur, the dislocation of trade and business, hartals, frenzied appeals to boycott and obstruction, *lathi* charges, raids on salt pans, corrupting Frontier tribes, the looting and burning of foreign goods, murder, rape, and arson. If there is one thing which the people of India desire, it is to be saved from a repetition of the horrors of 1930. Sir, it has been urged that the fact that special powers are still necessary shows that the Ordinance X of 1932 has not met the civil disobedience movement and has failed in its purpose. I should have no difficulty at all to prove that the Ordinance X of 1932 has achieved a large measure of success, but as I deprecate long speeches, I shall bring my remarks to a close. Now, Sir, in conclusion I desire to refer to one important point, and it is this that every race and every class in India, deeply divided as they are in most respects, stand wholeheartedly together in their common desire for self-Government. To this end the British Government have pledged themselves, which is in line with the whole historic tradition of British statesmanship; and this pledge has been reiterated time and again. I am profoundly convinced that this Bill will allow the tender plant of responsible self-Government to grow and to develop from the various soils of British India and Indian States. I may add that this Bill will be a Monumental Bill to the eternal honour of the Honourable the Home Member for his efforts to deal with lawlessness, and that it will be remembered even when the necessity for it would not exist.

Mr. E. H. M. Bower (Nominated Non-Official): Sir, I rise to support this Bill. It is with great diffidence that I address the House. It is my first plunge into the stormy waters of debate, and in following so many experienced debaters, I can only trust that Honourable Members will extend to me the indulgence that is usually accorded to one who is making his first speech in the House.

I represent, Sir, a community that has always stood for law and order and I also claim to speak as an Indian in the large sense of the word. I come from South India, where Anglo-Indians are considered by their Hindu and Muhammadan brethren as entitled not merely to a hearing, but to a friendly and a sympathetic hearing, on the problems that confront India. I claim the same sympathy and the same friendly hearing on the floor of this great House. If I should say anything that may seem to be diametrically opposed to the opinions of some of my Honourable friends opposite, I trust that they will consider that they are the utterances of one who was born in India, who has served India for over 34 years, and, above all, of one who loves India. Sir, as I listened to the speeches of so many of my esteemed friends opposite, I felt somewhat in the position of a very well-known young lady, Alice in Wonderland. Everything seemed to be topsyturvy. There was a feeling of unreality about the discussion. Member after Member got up and spoke of the perils to safety, and of

[Mr. E. H. M. Bower.]

the dangers to the public, underlying this Bill. Dangers to whom? One might think from the various speeches that the whole of India was in grave danger on account of the various clauses of this Bill. But what are the facts? Of the 352,800,000 people in India, something like 352,000,000 are either not affected by this Bill at all, or are *protected* by its provisions. Not one per cent., but one-hundredth part of one per cent. would furnish a figure far in excess of the number of people against whom this Bill is really aimed. I am not one of those who consider that every Congress member may be expected to actively dissuade his fellow countrymen from enlisting in the army. I do not consider that every Congress member is likely to wilfully disseminate false rumours with intent to alarm. But I do hold that in the ranks of the Congress there are many people who hold extreme views, men who live on the borderline of law and order, and who delight in occasional raids into the forbidden territories beyond. Perils to liberty,—liberty to do what? There is only one penal clause in this Bill which relates to what I might classify as a sin of omission, and that is the boycott. Every other penal clause relates to a definite sin of commission, an active thing, a thing done with deliberate intent to embarrass the Government and to interfere with the opinion of one's fellow-countrymen, and in some way, to prevent Government from carrying on their responsibilities in the control of law and order.

Sir, I shall not weary the House any longer. Honourable Members here are tired of the progress of the Bill, which has crept through this House on leaden feet, and I do think that Honourable Members would at this juncture appreciate far more than the highest flight of oratory, a brilliant flash of silence. Sir, I support this Bill.

Mr. Bhuput Sing (Bihar and Orissa: Landholders): Sir, even at this stage I rise to oppose this Bill as it is such a pernicious piece of legislation, although pernicious or odious does not sufficiently express its true character. Sir, despite the few nominal verbal changes and touching up with explanations and exceptions here and there, this Bill is still impregnated with the very spirit and essence of the odious Ordinances. A legislation which is on the face of it of so drastic a nature and is so thoroughly repressive in character should not have our sympathy and support. My own reading of this Bill is this: it aims at crushing all nationalistic movements everywhere; it intends to scotch all spirit of patriotism that is already abroad or may arise in the future. This Bill means to make positive inroads into our conceptions of private property and to penalise personal convictions and individual principles in matters concerning our vital interests. This Bill paves the way for the negation of all law and the institution of police and military in place of civil administration by effectively strangling the press, whose duty is to comment on the high-handedness of all sorts of public servants. This Bill in fact keeps the armoury ready to put down ruthlessly all manner of opposition that may arise when the next instalment of reforms proves disappointing, because my fear is that the coming instalment of reforms will be more unreal, more shallow, more superficial, more of an eye-wash than even what we have got at the present moment. This Bill would only fortify the future Government against all possible untoward contingencies that might occur in that event.

My Honourable friends, Sir Muhammad Yakub and Mr. Yamin Khan, have waxed themselves eloquent on the supposed or real misdeeds on the part of the followers of the Congress. I do not know whether my friends have knowingly or unknowingly or under inspiration attributed the causes for all the recent communal riots in this country entirely to the Congress movement. My Honourable friends conveniently brushed aside from their memory the orgy of plunder and carnage of the innocent Hindu population in Delhi after the execution of Ilaudin, the assassin of Swami Shradhananda, and the infernal riots that raged for over a week over the whole city, nothing of which by any stretch of imagination has up till today been set down to the Congress. Again, Sir, what harm was there if those people who imagined themselves to be coerced by the Congress people, as my Honourable friends have averred, had sought the protection of the police and the magistracy, instead of getting themselves inflamed at the behest of the non-Congress leaders and taking the law into their own hands and freely using their *lathis* and daggers on people indiscriminately and bringing about infernal disorder in the society? Do my Honourable friends seriously contend that the law of the land was not quite adequate to meet cases of complaint from those people who thought themselves in any way coerced by the Congress workers? Need I remind my over-zealous friends that when cases actually came up before the courts after the riots, the people that came to be convicted were 99 per cent. non-Congress men? Need I also tell my Honourable friends that when the authorities adopted preventive measures for the recurrence of the riots in the future, the people that they had to extern from the affected areas were all non-Congress workers, 99 per cent. of whom were disorderly bad characters and hooligans owning faiths different from that of the majority of Congress workers?

Sir, I cannot conclude my remarks here without quoting to my friends and others of their ilk what Father Verier Elwin says about the Congress in his most recently published book, "Truth about India: Can we get it?" published by the London firm of publishers, George Allen and Unwin, Ltd. The Father says this:

"We have indeed seen violence in its ugliest and most brutal form in India, but it has been on the part of the authorities, or of the communal partisans, not of Congress. Congress has, in fact, been the bulwark standing between the British official and the assassin. . . Nothing could be more unfair, nothing could be meaner, than to lay responsibility for the terrorist outrages in Bengal at the door of the Congress. They have no connection whatever with the Congress."

Sir, I hope you will kindly bear with me if I propose to acquaint the Honourable House with what a body of people, whose opinions neither the Government nor the representatives of the people in this House can treat lightly, have to say on the Ordinances, out of which this Bill arises. I mean, Sir, what that band of Scottish missionaries, who are now at their homes, have recently written to the Members of Parliament representing their Scottish constituencies. The letter is dated Edinburgh, September 20, 1932. With your permission, Sir, I would now read a few passages from that momentous letter, as they are so very germane to our present purposes. The letter goes on thus:

"We, a group of Scottish missionaries serving or having served in India, at present in this country on furlough or retired, but in more or less intimate touch with India, acting in our individual capacity, desire to acquaint you with our feeling of distress over the present situation in that country.

[Mr. Bhuput Sing.]

We cordially appreciate the efforts which the National Government are making to expedite the attainment by India of real self-government, but we are persuaded that those efforts are doomed to disappointment unless the Administration abandon or greatly mitigate their present policy of government by Ordinances.

We are not of one mind as to the extent to which the Ordinances introduced eight months ago were necessary for the maintenance of order. But we are all agreed that these Ordinances have created bitter resentment amongst almost all classes of people, and—most ominous of all—amongst many who were previously consistently friendly in their attitude to Government.

Government by Ordinance has meant, among other things, arrest and detention in prison without trial. Such a method of administration is surrounded by many dangers, and in this country would not be tolerated. In India, owing to the difficulty sometimes experienced of getting witnesses to give evidence or a jury to convict, it has been felt to be on occasions and in places justifiable. Sir Tej Bahadur Sapru, leader of the Constitutional Moderates, admitted that special measures were necessary when, after referring to the 'futility and folly' of the course pursued by Congress on the one hand and by Government on the other, he said: 'Government could have carried public opinion with them if only the Ordinances were not so drastic and if their administration had been conducted on more reasonable and moderate lines'.

But amongst possible causes of bitterness, we specially deprecate the practice which has grown up of arresting people on suspicion and at the end of a few weeks releasing them with the order to report daily at the Police Office and when they fail to do so, sentencing them to one or two years' rigorous imprisonment in class C, which apparently means that they are placed among ordinary criminals on the lowest scale of diet."

The letter then goes on to say:

"You will remember that in the House of Commons Major Milner and Sir Ernest Bennett gave detailed evidence of such treatment. From our knowledge of India we are certain that what they said as to its disastrous effects is in no way exaggerated. However peaceful things may be on the surface, there is very great bitterness. There is danger too that the severity with which the passive resistance to propaganda has been put down may tend to encourage the more irresponsible sections of Indian society towards a belief in agitation of a more secret and violent nature, and thus in certain directions have the effect of increasing rather than of diminishing terrorist activity.

For some months past we have been working for such a change of policy as we here suggest. We hoped to see it effected without any combined public protest on our part. But, as our silence has been misunderstood, we ask you as the representatives of the Scottish people to give the facts we have submitted to your earnest consideration to use your influence to bring about the desired change. To give the matter greater publicity we are making this an 'open letter' and sending it to the press."

Among the signatories are such eminent people as Henry Lees Adamson, J. E. Copeland, Norah M. Lindsay, Elsie L. Mackenzie, James Mackintosh, N. Macnicol, R. M. Macpail, E. Forrester Paton, E. R. Sutherland, W. S. Sutherland and W. S. Urquhart. Some of these men, I need hardly remind the House, are *ex-Vice-Chancellors* of Indian Universities, Lord Bishops, Principals of Colleges, Heads of Medical Missions or otherwise quite high-placed in missionary life. The following note added to the letter is also significant. The note says:

"The terrorist movement in Bengal which every self-respecting Indian reprobates, should not be confused with the civil disobedience movement, or with the non-payment of rent and taxes campaign in the United Provinces which naturally Government strongly resented."

Next, Sir, Rev. C. F. Andrews, who is acknowledged a true servant of Christ and somewhat of a *persona grata* with the Government, both here and at home, in a very thoughtful article under the caption of "Asia in Revolution", published in the October number of the *Modern Review*, after setting forth his generalisations on the subject about what

is happening in other Asiatic countries, says about the Indian situation and particularly about the Ordinances as follows. Again, with your permission, Sir, I quote a few passages bearing on the subject, from that thought-provoking article :

"In India, there has happened an all-important event, which has distinguished that country from all others. The revolt against Europe, on behalf of the peasants, has been carried on without bloodshed under the leadership of one of the saintliest figures known in human history, Mahatma Gandhi. He has been the one prophet and inspirer, who has roused the Indian masses as they have never been stirred before. And in doing so, he has successfully tried to keep the revolutionary movement entirely peaceful at the very time that it is attempting to throw off the yoke and become free. Thus, India has stood before the world, in sheer moral strength, as no other country has ever done before seeking to win her freedom, not by the sword, but by suffering. Even though the ideal has been blurred and marred by internal conflict, its universal appeal to non-violence by means of tens of thousands, both men and women, suffering joyfully imprisonment, has had such a response throughout the whole of India, that it may well be regarded as in the end invincible. It has also stirred the conscience of the whole world."

Further on he says :

"Now at this moment, owing to this clash of forces and ideas there has come a terrible deadlock. Emergency ordinances of such a drastic nature have been decreed by the Viceroy to have the force of law, that in every province something equivalent to martial law prevails. In a free country like Great Britain it is impossible to conceive of such a state of things as this. Private houses can be entered without warrant and private persons can be arrested in the same manner. Trials can be conducted in secret. . . ."

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Order, order. The Honourable Member is reading what has already appeared in all the newspapers. He should bring out the point he wishes to make in his own words. This is the second elaborate extract he is reading of matter which has appeared in every newspaper in India.

Mr. Bhuput Sing: I shall conclude now, Sir, in my own words: The effect of all these things, if the Ordinances and laws such as this remain on the Statute-book, will be that those who are now moderates and liberals will be converted into opposition; the police, when used in this punitive way, will get out of control. Trade with Great Britain will suffer worse than ever and the people themselves will refuse to buy anything British. The extreme revolutionary forces, which believe in violence rather than in non-violence, will get more and more in the ascendant. The British Government will be driven more and more to fall back upon the Muslim communal section and the landlords and princes. This will mean cleaving India in twain from top to bottom. In face of all that I have said above, I would be doing a distinct disservice to my country if I were to be a party to the passing of such a legislation as has formed the subject of such severe comments even at the hands of people who do not suffer and are not likely to suffer in any way from the Ordinance Bill.

Mr. Uppi Sahab Bahadur (West Coast and Nilgiris Muhammadan): Mr. President, I thought of recording a silent vote, but when I read this Bill again and again, I find I cannot give a silent vote. Today is a black day in the history of India, when we are going to pass a decree against ourselves and hand it over to the police to execute it. This Act is intended to restore peace and order in the country. It has been urged repeatedly on the floor of this House that peace and order in the country has been disturbed by the Congress, by Mahatma Gandhi and his followers. It is a common practice with powers that be to say about their weak opponents "give the dog a bad name and hang him". It is

[Mr. Uppi Saheb Bahadur.]

a common thing in the history of the world to say, if a man is in power, and if his opponent is weak and if the former wants to injure the latter, even if justice is on the other side, that the enemy is in the wrong.

There is a proverb in my part of the country that whether the Raja's cow falls into a tenant's well, or the tenant's cow falls into the Raja's well, in either the tenant is always in the wrong. That is always so. So also the trouble in this country has been attributed to the Congress and to the agitators. But really let us ask this question: if one Gandhi or even a hundred Gandhis were to go and ask the people to suffer like this, if they had no cause to suffer, will all these young men voluntarily go and suffer at the hands of the police? Certainly not. There is a carbuncle inside the body politic of India, and it must come out. It is the utter failure of the rule of the British Government for the last one hundred and seventy five years, the discontent caused by this is at the bottom of all this. The British economic policy has bled us white; their industrial policy has smothered our industries; their military policy has emasculated us. Herein lies the cause of the present unrest. People were fretting and fuming under the selfish rule, under the oppression, under the highhandedness of the British Government. We could not give vent to our feelings; we did not know what to do. Indian youngmen did not know what to do or how to give expression to their feelings of discontent and dissatisfaction. They were all along fretting and fuming, not knowing what to do. Here I am reminded of a Persian story which I read in an English book. There was a king who ruled his country very well. Everywhere in the country there was prosperity and contentment, and the people thought that the king was a god incarnate, and they began to worship him. When Satan saw that this king was being worshipped by millions of people as god, he became envious, and one day Satan, in the form of a snake, fell on the king and coiled round his neck and was about to give him a fatal bite. Then people immediately gathered, but did not know what to do. Whenever they attempted to kill the snake, he threatened to sting the king. Then astrologers were consulted. They suggested that the only way to save the king was to sacrifice a man everyday for the snake. Then arrangements were made to make sacrifices to save their king who was thought to be a god incarnate to those people. The prime minister came forward and sacrificed himself first, and every day this sacrifice went on. In the country every day for three or four months each family lost its flower, the best of its members. To save the life of one soul, hundreds of people suffered. One day it fell to the lot of the son of a poor blacksmith to be sacrificed, and he was carried away by the police to be sacrificed for the snake. This boy was the only mainstay of his father. The father did not know what to do. After some time he tore a piece from his loin cloth and put it on a piece of stick and ran through the bazar crying if there was anybody to follow him to kill the king who has been the cause of sorrow to hundreds. Then the whole mob went after him and killed the king as well as the snake. So is the case of India.

Sir, we are being emasculated by your military policy, we are being killed by your industrial policy, we are being starved on account of your economic policy, and we have been quietly suffering all these years. All our industries have been deliberately killed by your policy, now we are an emasculated, poverty-stricken people. We helped the British

Government during the Great War. India was the first to go to the front and save their country. We fought for whom? Not for India, but for the British Government. We were told that Britain was fighting for securing the liberty of the world, that it was a war to save humanity, but immediately after England won the war, what happened? She became arrogant, and what was the result? What was the reward that we got after she came out victorious? Immediately after the conclusion of the war, we got the Rowlatt Act. Soon after, we saw that thousands of people were shot dead at Jallianwalla Bagh in Amritsar. All these things went home to us, and we were fretting and fuming, not knowing what to do. It was at this time that Mahatma Gandhi stepped into the arena, because he saw that the country was going to rack and ruin on account of the policy pursued by the British Government. He only gave expression to the pent up feeling in the country. Then, what was the state of the Mussalmans? What did Lloyd George say to the Mussalmans in the days of the war? He said that they were not fighting against the Turks; they were not fighting against the Mussalman community; but we found, as a matter of fact, their one desire was to bring about disruption, to dismember the Muslim power, and, in that, they have succeeded. At this our heart is still burning. These are only some of the causes that have led to the present unrest. But the Government believe that they can cure the present trouble by passing an Act of this character. Do you think, Sir, that the British Government will be able to do it? Certainly not.

You take the history of the last ten years. When the non-co-operation movement was first launched, there were not many people to come forward to court imprisonment and suffering. But when, in 1930, the civil disobedience movement was started, we know how many thousands of youngmen have come forward to sacrifice their everything, all for the sake of patriotism, for the cause of their country. What is the reason? The reason is that they feel that Britisher is not ruling India for Indians. Sir, I know, as students we were taught 14 benefits of British rule. We were brought up with those ideas. We thought the Britishers were angels on earth, we thought the Britishers were heaven born and angels, and that to do anything against them was sacrilege. Now, when we grew a little older and began to see a little bit of the other side for ourselves, our heart began to fret and fume. We saw the reality of the picture, we now realise what our true position is.

Now, Sir, I must warn the Government from my place on the floor of this House, as a well wisher of the British Government, as one who wishes to see the British Government to remain for some time more in this country, of course with a change of heart, that they should change their policy and methods of rule in this country. Otherwise it will be for their own sorrow. Remember that the new generation of boys are all growing up in an entirely different atmosphere from the one in which we of the last generation were brought up. Boys and girls are all growing up with the bitterest hatred against the present Government, because of the wrong policy they are pursuing to keep down the people. What do they see every day? They see every day in villages and towns that their brethren are beaten like dogs. I have seen with my own eyes, how the police have treated the civil disobedience people. I have seen, Sir, how young boys have been beaten and thrown on the roads and dragged along the road with their faces downward. (*Cries of "Shame, shame"*.) This is what our young men are seeing every day

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural):
Were these Moplah boys?

Mr. Uppi Sahab Bahadur: I do not care whether they are Moplah boys or Hindu boys. Is it not this Government that have strangled not one or two people, but 23 Moplahs in a wagon in the train tragedy? Is it not the Britisher who has enacted the Blackhole of Calcutta in this land in recent years? My Muslim brother asks, if they were Moplah boys. I know only too well what the Government did in 1921 with the Moplahs. The world has so far heard of only one wagon tragedy with regard to Moplahs, but there were two such tragedies. The Honourable the Home Member might refer to 1711, but what about the No. 8 wagon. Well, the world does not know that. Sir, my Muslim brother asks, whether the boys, who were being beaten, were Moplah boys. I do not care whether they were Moplah or Hindu boys. Every human being is a human being. (Applause from the Nationalist and Independent Benches.)

Then, Sir, when Mahatma Gandhi was having his historic march to Dandi, I remember, he said,—these were almost his own words—“I am quite aware that by stopping a few crores of rupees, the Britishers will not be driven out of India. I am quite aware that by getting a few crores of rupees, the unemployment and poverty problem of India is not going to be solved, but what I want to do by starting this civil disobedience movement is to show to the world in its naked form the satanic character of the British Government”, and Mahatma Gandhi has been able to show to the world how we are being governed today. Hereafter, Sir, we are not going to be governed, but we are going to be put down, we are going to be crushed. Every one of us will have to remain with our life in our hands. We do not know which police officer we have displeased. Hereafter we are going to get “common sense rule”. We have been crying for autonomy, but hereafter we are going to get “common sense” rule. That is what the Secretary of State has told us. Hereafter we are going to get, instead of autonomy, autocracy, that is what we see in the papers. This is how we are going to be ruled. Do the British Government, if they have got any sense, any statesmanship, believe that they would be able to govern India by this Act? Certainly not. They may be able to remain here in India, they can be here in India, they can get on very well, if they show a change of heart, but not by oppression and suppression. (Cheers from Nationalist and Independent Benches.) I have much to say but you will come down upon me, I am afraid, (*Some Honourable Members:* “Go on.”) I was saying that Mahatma Gandhi said in his speech that he wanted to expose the British Government, and he has succeeded in it, succeeded to the core. Now, this Act is intended to restore peace and order in the country. If the British Government are thinking of giving us peace and order in the country in this way, then such a peace there is in hell also. (Cheers.)

Several Honourable Members: The question may now be put.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): I accept the closure. The question is that the question be now put.

The motion was adopted.

The Honourable Mr. H. G. Haig: Sir, in rising to make my last speech on this Bill, I desire to thank the House for the patience and forbearance with which they have listened to me throughout these debates. I should be ashamed to reckon up the number of my speeches, but the House will recognise that these were not all voluntary efforts on my part. I as well as they would gladly have dispensed with many of them. However patient Honourable Members may be, there comes a point of satiety, as has been delicately indicated by my Honourable friend, Mr. Bower, in his admirable maiden speech. Therefore, I shall be brief.

I have observed in today's debate a fear that the provisions of this Bill may be administered with undue rigour. On the contrary, my hope is that once these provisions are placed on the Statute-book for a reasonable period, there may, as time goes on, be less and less necessity to use them. It has repeatedly been explained in the House that the sections dealing with boycott and picketing will only come into operation where an active movement necessitates this form of protection. With regard to the administration of the Press provisions, I have already promised to address Local Governments. To a large extent I regard this Bill as an insurance against the recrudescence of trouble, and the less it is necessary to use these powers the better I and all officers of Government will be pleased.

And now we have come to the end. We have differed and discussed, we have compromised, and we have voted. We have fought a good fight, and I hope I may say, a fair fight on both sides, and now we must go forward to the decision. But, Sir, I would end, not on a note of gloom, but on a note of hope. We have been passing through troublous times. It is difficult enough under any conditions to shift the balance of power in a vast country like India, to set up a new system of Government, to establish new political conceptions and relations. During the last few years, the more extreme elements, while claiming, and I doubt not, genuinely believing that they were advancing the good of their country, have in fact done all they could to impede our task, to destroy the hope of peaceful progress, and to disturb the foundations on which the new State is to be built, the foundations on which every free State must be built,—the foundations of respect for law and liberty of action within the limits allowed by the law. My Honourable friend, the Leader of the Independent Party, this morning demanded that the Government should show a spirit of co-operation in response to the great gesture of co-operation made by this House yesterday. I might be excused a little mild surprise that the Honourable Member should take credit

Sir Abdur Rahim: No, I did not.

The Honourable Mr. H. G. Haig: to himself for a co-operation which he did everything in his power to oppose. (Laughter.) But, Sir, I do not wish to press too far the personal point. I am willing to believe that the Honourable Member, impressed by the verdict of this House, is now prepared to associate himself with their views. The real answer is this. With those who are pursuing a policy which is clearly at variance with the interests of the country, which is destructive of the foundations on which not only this Government, but any Government must rest,—with people who are pursuing such a policy we cannot

[Mr. H. G. Haig.]

co-operate. But is there no proof of co-operation, is there not co-operation and full co-operation going on in London at this moment at the Round Table Conference in the framing of a constitution, of the details of which my Honourable friend, Maulvi Sayyid Murtuza Saheb Bahadur, appears to be singularly ignorant? If the menace which is typified in the civil disobedience movement is once removed—and the passing of this Bill will contribute powerfully to remove it,—then we can go forward with confidence into the new era, the prospect of which is widening daily before us. Difficulties there may be, difficulties there will be, but the tide is coming in, and I would ask the House to remember the words of the English poet:

“For though the tired waves vainly breaking,
Seem here no painful inch to gain,
Far back, through creeks and inlets making,
Comes silent, flooding in, the main.”

(Loud and prolonged Applause.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The question is:

“That the Bill to supplement the Criminal Law, as amended, be passed.”

1 P.M.

The Assembly divided:

AYES—57.

Abdul Hye, Khan Bahadur Abul
Hasnat Muhammad.
Acott, Mr. A. S. V.
Ahmad Nawaz Khan, Major Nawab.
Ahmed, Mr. K.
Allah Baksh Khan Tiwana, Khan
Bahadur Malik.
Amir Hussain, Khan Bahadur Saiyid.
Anklesaria, Mr. N. N.
Anwar-ul-Azim, Mr. Muhammad.
Bajpai, Mr. G. S.
Bhore, The Honourable Sir Joseph.
Bower, Mr. E. H. M.
Burt, Mr. B. C.
Dalal, Dr. R. D.
DeSouza, Dr. F. X.
Dunn, Mr. C. W.
Dutt, Mr. G. S.
Fazal Haq Piracha, Shaikh.
Fox, Mr. H. B.
Greenfield, Mr. H. C.
Gwynne, Mr. C. W.
Haig, The Honourable Mr. H. G.
Hezlett, Mr. J.
Hossack, Mr. W. B.
Hudson, Sir Leslie.
Ishwarsingji, Nawab Naharsingji.
Ismail Ali Khan, Kunwar Hajee.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur
Sardar.
Lal Chand, Hony. Captain Rao
Bahadur Chaudhri.

Mackenzie, Mr. R. T. H.
Macqueen, Mr. P.
Meek, Mr. D. B.
Metcalf, Mr. H. A. F.
Mitchell, Mr. D. G.
Mitter, The Honourable Sir
Brojendra.
Moore, Mr. Arthur.
Morgan, Mr. G.
Mujumdar, Sardar G. N.
Mukherjee, Rai Bahadur S. C.
Nayudu, Rao Bahadur B. V. Sri Hari
Rao.
Nihal Singh, Sardar.
Noyce, The Honourable Sir Frank.
Rafuddin Ahmad, Khan Bahadur
Maulvi.
Rajah, Rao Bahadur M. C.
Rau, Mr. P. R.
Ryan, Mr. T.
Schuster, The Honourable Sir George.
Scott, Mr. J. Ramsay.
Sher Muhammad Khan Gakhar,
Captain.
Singh, Mr. Pradyumna Prashad.
Sorley, Mr. H. T.
Suhrawardy, Sir Abdulla-al-Māmūn.
Tottenham, Mr. G. R. F.
Wajihuddin, Khan Bahadur Haji.
Yakub, Sir Muhammad.
Yamin Khan, Mr. Muhammad.
Zulfiqar Ali Khan, Sir.

NOES—31.

Abdul Matin Chaudhury, Mr.
 Abdur Rahim, Sir.
 Azhar Ali, Mr. Muhammad.
 Badi-uz-Zaman, Maulvi.
 Chuput Sing, Mr.
 Chandi Mal Gola, Bhagat.
 Chetty, Mr. R. K. Shanmukham.
 Dutt, Mr. Amar Nath.
 Gour, Sir Hari Singh.
 Gunjal, Mr. N. R.
 Isra, Chaudhri.
 Jadhav, Mr. B. V.
 Jog, Mr. S. G.
 Lalchand Navalrai, Mr.
 Misra, Mr. B. N.
 Mitra, Mr. S. C.

Mody, Mr. H. P.
 Murtuza Sahab Bahadur, Maulvi
 Sayyid.
 Parma Nand, Bhai.
 Patil, Rao Bahadur B. L.
 Ranga Iyer, Mr. C. S.
 Reddi, Mr. T. N. Ramakrishna.
 Sant Singh, Sardar.
 Sarda, Diwan Bahadur Harbilas.
 Sen, Mr. S. C.
 Sen, Pandit Satyendra Nath.
 Singh, Mr. Gaya Prasad.
 Sitaramaraju, Mr. B.
 Sohan Singh, Sirdar.
 Thampan, Mr. K. P.
 Ziauddin Ahmad, Dr.

The motion was adopted.

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 (The Honourable Sir Ibrahim Rahimtoola) in the Chair.

THE INDIAN TARIFF (OTTAWA TRADE AGREEMENT)
 AMENDMENT BILL.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I introduce the Bill further to amend the Indian Tariff Act, 1894, for certain purposes.

Sir, I move:

"That the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, be referred to a Select Committee consisting of Mr. R. K. Shanmukham Chetty, Mr. C. S. Ranga Iyer, Sardar Sant Singh, Mr. K. P. Thampan, Mr. N. R. Gunjal, Mr. B. Sitaramaraju, Mr. S. C. Mitra, Shaikh Sadiq Hasan, Dr. Ziauddin Ahmad, Mr. H. P. Mody, Khan Bahadur Haji Wajihuddin, Mr. F. E. James, Mr. Rahimtoola M. Chinoy, Sir Abdulla Suhrawardy, Dr. F. X. DeSouza, Mr. G. Morgan, Sir Zulfiqar Ali Khan, the Honourable Sir George Schuster, the Honourable Sir Frank Noyce and the Mover, with instructions to report on or before the 12th December, 1932, and that the number of members, whose presence shall be necessary to constitute a meeting of the Committee, shall be five."

This Bill, Sir, seeks to implement the Trade Agreement arrived at with the United Kingdom. The principle underlying it has been discussed in great detail in this House for many days and there is little new that I can say at this state which will add much to the proceedings. I will, therefore, confine myself to a very short explanation of the Bill which I have placed before this House in pursuance of the Resolution which was passed yesterday. The Bill consists of four clauses and a Schedule. Clause 1, sub-clause (2), leaves the fixation of the date, from which the Bill, if passed, will come into force, to the Governor General in Council, because, Sir, the settlement of administrative details will take some time and it is impossible for us to say here and now what the exact date should be. Clause 2 hardly needs any detailed elucidation. It

[Sir Joseph Bhore.]

contains the requisite directions to customs authorities in regard to the application of the new rates of duty. When preference is given to the goods of any country, it is necessary to issue directions to the customs authorities, so that they can settle the question of the country of origin, and this section provides for the issue of rules in this behalf. Clause 4 exempts the rates shown in the Schedule from the operation of the Indian Finance Act of 1931; that is to say, the rates shown in the Schedule are net rates and these have been fixed after taking into account the existing rates and sur-charges.

I come next to the Schedule. In explaining the Schedule, it is necessary to say that the general plan is to include under two new parts, numbered as VIII and IX, the goods subject to preferential rates. The first forty-five items in the Schedule are merely consequential changes necessitated by the removal to Parts VIII and IX of the items hitherto included in the existing parts of Schedule II of the Act. As regards Part VIII, I should add that it contains all the articles which are at present dutiable under Part V at the general revenue duty,—normally 15 per cent. and at the present moment 25 per cent. I should say, further, that the existing general rate of duty is being modified partly by raising and partly by lowering. The net result is generally that the rates of duty under this part for British goods have been lowered from the existing 25 per cent. *ad valorem* rate to 20 per cent. and the rates for foreign goods have been raised by five per cent. to 30 per cent. That is the way in which we have provided for the ten per cent. preference under this class. I ought to say that, on the most careful examination that we have been able to make, Government are of opinion that this re-arrangement of rates will result in no material alteration of our revenue position. My Honourable colleague, the Finance Member, explained yesterday the factors that had been taken into account in arriving at this conclusion. We have been influenced mainly by two considerations, namely, the interests of the consumer and the interests of the exchequer. As regards Part IX, I should say that it contains all the articles on the preferential list which are dutiable at special rates, that is to say, at rates either higher than or lower than the general revenue rate, and, in regard to these, I have merely to say that we have in no case gone beyond 50 per cent. *ad valorem*. Where the trade figures and general considerations warrant this, in a few cases, we have given preference by entirely raising the duty. But, in the other cases, we have given it partly by raising and partly by lowering. Here also we have been generally guided by the interests of the consumer and of general revenues. I ought just to explain, Sir, that the form of the Schedule is somewhat different to the Notification which was published some days ago, and this has been due partly to drafting improvements, and partly to a few changes of substance; for instance, it has now been possible to enter definitely the rates in regard to tobacco which we now propose to levy.

There is another thing I ought to bring to the notice of the House. With reference to clauses 2 and 3 of the Supplementary Agreement relating to iron and steel, Government are satisfied that they possess the necessary powers to implement this part of the Agreement and that they will use those powers straightaway, should necessity arise. That, Sir, I think, explains the Bill which I have placed before this House, and I would like to make an appeal to the House to allow this Bill to go at the earliest

possible moment to a Select Committee. There is just one other matter to which I should like to refer, with reference to what fell from the Honourable the Leader of the Independent Party this morning. I would like to say that I personally would most warmly welcome any co-operation that he might extend to me in this matter. Sir, I move.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, it is unnecessary at this stage to make a very lengthy criticism for the obvious reason that this Bill is the direct result of yesterday's Resolution which was carried by this House. It is hardly necessary to stress the fact that every one who goes into this Committee goes with the purpose of constructive criticism and amendment and not the destructive purpose of wrecking the Bill or trying to maintain intact the existing tariffs. I have, of course, in certain matters to measure swords with the Government and put up an uncompromising fight, as, for instance, taking one item in the Schedule, namely, soap. We find that the standard rate of duty will be 80 per cent, the preferential rate of duty will be 20 per cent and the present rate is 25 per cent. They have lowered the rate of duty by five per cent in favour of England. In India, soap can be manufactured and is being manufactured on a vast scale. On a matter like this, I may definitely state, I do not propose to compromise to the extent even of five per cent, because I do not want the soap industry in this country to be killed or, for that matter, to be unfairly treated by lowering the wall of tariff in favour of Great Britain. While I will certainly be willing to give preference to British soap in consequence of our being within the Empire and thereby, I hope, of getting our constitutional relations improved, I will certainly insist that the existing tariff must be maintained and the tariff wall raised a little higher against non-British and non-Empire soap. I do not want to go into details. I only give this specific instance, for every student of Indian industrial possibilities and activities will be able to say that in the matter of soap we have a great capacity for production. We have every facility for production and we do not want to allow any soap from outside, whether British or foreign, to compete unfairly with our own soap. Therefore, I only ask my friends on this side of the House to leave it to their representatives to put up a fight where they think a fight is reasonable and to possess their souls in patience until this Bill emerges from the Select Committee. With these few words, I conclude my observations. I hope there will not be more speechifying on this matter so that we may straightaway go into the Select Committee and come early out of it.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The question is:

"That the Bill further to amend the Indian Tariff Act, 1894, for certain purposes, be referred to a Select Committee consisting of Mr. R. K. Shanmukham Chetty, Mr. C. S. Ranga Iyer, Sardar Sant Singh, Mr. K. P. Thampan, Mr. N. R. Gunjal, Mr. B. Sitaramaraju, Mr. S. C. Mitra, Shaikh Sadiq Hasan, Dr. Ziauddin Ahmad, Mr. H. P. Mody, Khan Bahadur Haji Wajihuddin, Mr. F. E. James, Mr. Rahimtoola M. Chinoy, Sir Abdulla Suhrwardy, Dr. F. X. DeSouza, Mr. G. Morgan, Sir Zulfiqar Ali Khan, the Honourable Sir George Schuster, the Honourable Sir Frank Noyce and the Mover, with instructions to report on or before the 12th December, 1932, and that the number of members, whose presence shall be necessary to constitute a meeting of the Committee, shall be five."

The motion was adopted.

STATEMENT OF BUSINESS.

The Honourable Sir Brojendra Mitter (Leader of the House): Sir, with your permission, I desire to make a statement as to the probable course of Government business next week. It is our intention, Sir, after the report of the Select Committee is presented, to request you to suspend the Standing Orders and take the report into consideration after two days instead of the usual week.

Mr. E. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): The Bill ought to be taken into consideration by the 14th December.

The Honourable Sir Brojendra Mitter: The request I make is this: if the report be presented on Monday, the 12th, that it be taken into consideration on the 14th instead of on the 19th, which would be the usual time under the Standing Orders.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): May I know, Sir, who cancels the Standing Orders?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Honourable Member proposes to request the Chair to suspend the Standing Orders. It is in the absolute discretion of the Chair to do so or not to do so.

The Honourable Sir Brojendra Mitter: Then the Government will proceed with the other legislative business which I announced last week. This consists of:

- (1) The motion to take into consideration the Bill to supplement the Bengal Terrorist Outrages Act.
- (2) The motion to take into consideration the Bill to amend the Merchant Shipping Act in connection with the Haj Pilgrimage, as reported by the Select Committee.
- (3) The motion to take into consideration the Bill to prevent the pledging of Child Labour, as reported by the Select Committee.
- (4) The motion to take into consideration the Murshidabad Bill; and
- (5) The introduction of two Bills, namely, a Bill to amend the Merchant Shipping Act for certain purposes, and a Bill to amend the Auxiliary Forces Act for certain purposes. It is not proposed to proceed further with these two Bills in this Session.

The Assembly then adjourned till Eleven of the Clock on Monday, the 12th December, 1932.