

*Tuesday,  
11th March, 1913*

ABSTRACT OF THE PROCEEDINGS  
OF THE  
Council of the Governor General of India,  
LAWS AND REGULATIONS

Vol. LI

**April 1912 - March 1913**

ABSTRACT OF PROCEEDING

OF

THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS,

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**VOL. LI**



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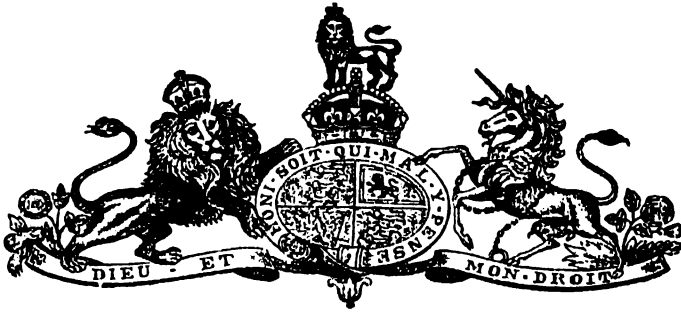


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GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA  
ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS UNDER THE PROVISIONS OF THE INDIAN COUNCILS  
ACTS, 1861 to 1909 (21 & 23 Vict., c. 67, 55 & 58 Vict., c. 14,  
AND 9 Edw. VII, c. 4).

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The Council met at the Council Chamber, Imperial Secretariat, Delhi, on Tuesday, the 11th March, 1918.

PRESENT:

The Hon'ble Sir GUY FLEETWOOD WILSON, G.C.I.E., K.C.B., K.C.M.G., Vice-President, *presiding*,

and 54 Members, of whom 48 were Additional Members.

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QUESTIONS AND ANSWERS.

**The Hon'ble Sir Gangadhar Chitnavis** asked :—

“Is it proposed (a) to remodel the railway arrangements in connection with the new Capital, and (b) to improve the sanitary condition of the existing city of Delhi?”

If so, what would be the amount of the approximate cost of carrying out these proposals, and is such amount included in the four millions sterling referred to in the Government's despatch of last year as the probable cost of the new Capital and, if not, how is it proposed to provide the necessary funds?”

**The Hon'ble Sir T. R. Wynne** replied :—

“The creation of the new Capital at Delhi, resulting as it will, in largely increased Railway traffic to and from Delhi, will necessitate an improvement in the existing railway arrangements there, and future developments will have to be provided for in respect to land required for such Railway works.

[*Sir T. R. Wynne; Sir Harcourt Butler; [11TH MARCH, 1913.]*  
*Mr. Ghuznavi; Sir Reginald Craddock.*]

Several schemes of re-arrangement have been investigated, but no decision to adopt any one of them has yet been come to, and the cost of each scheme has not been worked out. The cost of any scheme of re-arrangement will not be a debit against the four millions sterling referred to, but will be a Railway charge, in accordance with the general principle that all improvements required to meet the demands of a new or increased traffic are constructed by railways at their own cost."

**The Hon'ble Sir Harcourt Butler** replied :—

"The answer to the Hon'ble Member's question at 1 (b) is in the affirmative.

The approximate cost of carrying out all proposals for the sanitary improvement of Delhi city cannot at present be stated, but a whole-time health officer was appointed to the Delhi Municipality in August last, and a grant of one and half lakhs was placed at the disposal of the Municipality through the Government of the Punjab in the year 1912-13 for certain improvements in the sanitary condition of the city. A further grant of five lakhs was placed at the disposal of the Chief Commissioner in February last for the same purpose, and it is proposed to give him a recurring grant of half a lakh more commencing from the year 1913-14.

All such expenditure will be debitable to the appropriate service head in the accounts of the Delhi province for which provision is made from the ordinary revenues. It will *not* be debited to the four millions sterling referred to against which the only capital cost of the new city will be charged."

**The Hon'ble Mr. Ghuznavi** asked :—

"(a) With reference to my question whether there was any rule entitling all Mussalman employes of Government sufficient time between the hours of 12-30 and 2 P.M. on Fridays, to enable them to say their Jum'a prayers and the reply given thereto by the Hon'ble Sir Reginald Craddock on the 8th September last, has the attention of the Government been drawn to a question on this subject asked in the Legislative Council of the Punjab on the 14th of December last by the Hon'ble Khan Bahadur Khwaja Yusuf Shah and to the reply given thereto ?

(b) Is the Government aware that the Government of Bengal by their Notification No. 5746 P. of 21st November, 1912, have graciously accorded the privilege sought for ?

(c) If so, do the Government now propose to grant the privilege to the Mussalman employes of the Government of India and also extend it by a rule to Mussalman employes of Government in all other Provinces and Presidencies of India and Burma ? "

**The Hon'ble Sir Reginald Craddock** replied :—

"(a) The answer is in the affirmative.

(b) The Government of India have seen the orders of the Bengal Government referred to which, while refraining from laying down any hard and fast rule on the subject, direct that permission should be given on Fridays to such Muhammadan employes of Government as ask for it to say their Jum'a prayers, on the understanding that, if necessary, extra hours are worked at other times of the week.

(c) As regards Muhammadan employes in the Government of India Secretariats the Governor General in Council will be pleased to allow the concession asked for, and the desirability of action on similar lines will be commended to Local Governments."

[11TH MARCH, 1913.] [*Mr. Ghuznavi ; Sir Harcourt Butler ; Mr. Clark ; Rai Sita Nath Roy ; Sir T. R. Wynne.*]

**The Hon'ble Mr. Ghuznavi** asked :—

- “(a) Is it a fact that much inconvenience is felt by persons who have to go to Kasauli for treatment at the Pasteur Institute from long distances, such as Bengal ?
- (b) Is it a fact that according to the latest scientific methods a Pasteur Institute can now be established at any place irrespective of climatic conditions ?
- (c) If so, do the Government propose to ask the opinions of Local Governments as to the advisability of establishing a Pasteur Institute in Bengal as well as in other parts of India ?”

**The Hon'ble Sir Harcourt Butler** replied :—

- “(a) No doubt the journey to Kasauli is a trying one, especially at certain seasons of the year.
- (b) and (c). As the results of Sir David Semple's experiments, which have been confirmed by other observers, the Government of India have recommended the use of a dead carbolised vaccine in all Pasteur Institutes in India. This vaccine has been proved to be both safe and efficacious, and it can be prepared with equal facility in either a hot or a cold climate, so that the necessity for placing Pasteur Institutes in the hills no longer exists. The various Local Governments are already aware of these facts, and it is proposed to place the Pasteur Institute for Burma in Rangoon instead of at Maymyo as originally intended.”

**The Hon'ble Mr. Ghuznavi** asked :—

“Is it a fact that great inconvenience is felt by the public owing to the limited hours of working of third class telegraph offices in the mofussil ?”

**The Hon'ble Mr. Clark** replied :—

“Government are not aware that any inconvenience is felt by the public owing to the limited hours of business at third class telegraph offices in the mofussil, and no complaint on the subject has been received by the Director-General for the past three years. I may add that the question of extending and altering the working hours of all third class offices throughout the country was thoroughly examined three years ago, with the result that they were extended in the case of about 300 offices and altered to meet the convenience of the public in the case of 200 more.”

**The Hon'ble Rai Sita Nath Roy Bahadur** asked :—

- “(a) Will the Government be pleased to state whether there is any foundation for the rumour that a certain railway company has approached Government with a proposal for taking over the Eastern Bengal State Railway ?
- (b) If the answer be in the affirmative, will the Government be pleased to name it and lay the terms of offer on the table of the Council ?”

**The Hon'ble Sir T. R. Wynne** replied :—

“No Railway Company has put forward proposals for taking over the Eastern Bengal State Railway. The Secretary of State has, however, been approached by a gentleman acting on behalf of others connected with Indian trade and railways in relation to a project for the transfer of the Railway to a Company to be formed in England. The matter is the subject of correspondence with the Secretary of State, and it is not customary in these circumstances to lay papers on the table.”

[*Babu Surendra Nath Banerji ; Sir Harcourt Butler ; Sir Reginald Craddock ; Mr. Ghuznavi.*] [11TH MARCH, 1913.]

**The Hon'ble Babu Surendra Nath Banerji** asked :—

“ Will the Government be pleased to state if any decision has been arrived at with regard to the recommendations of the Decentralization Commission on Local Self-Government ? ”

**The Hon'ble Sir Harcourt Butler** replied :—

“ The Secretary of State has been addressed on the subject of the Commission's recommendations with regard to municipalities. The recommendation contained in paragraph 773(i) of the Commission's report, *viz.*, that the net proceeds of the land cess in certain Provinces should be made over to rural boards, has already been accepted and given effect to. The views of some of the Local Governments with regard to village organization and rural boards have not yet been received, and these matters are therefore still under consideration.”

#### THE INDIAN CRIMINAL LAW AMENDMENT BILL.

**The Hon'ble Sir Reginald Craddock** :—“ Sir, I beg to present the Report of the Select Committee on the Bill to amend the Indian Penal Code and the Code of Criminal Procedure, 1898.

“ There is a Note of Dissent by the Hon'ble Pandit Madan Mohan Malaviya attached to the Report, otherwise the recommendations contained in the Report are unanimous. I propose to reserve any remarks that I have on the subject until the time comes to ask for the Report to be taken into consideration.”

[*At this Stage the Vice President left the chair which was taken by the Hon'ble Sir Harcourt Butler.*]

#### RESOLUTION REGARDING PUBLIC HOLIDAYS UNDER THE NEGOTIABLE INSTRUMENTS ACT.

**The Hon'ble Mr. Ghuznavi** :—“ The Resolution which I now beg leave to move runs as follows :—

“ That this Council recommends to the Governor General in Council that in the matter of Public Holidays under the Negotiable Instruments Act of 1881 the principle should be recognised that the most important days of religious festivals of the principal communities should be included in the general list of public holidays of every Province or Presidency throughout India and Burma.”

“ Any Resolution such as this cannot fail to be acceptable, I take it, to all fair-minded men and the question may be asked that for any proposition such as this broad-based on equity and so obviously fair why it was necessary to bring before the Hon'ble Members of this House. The reason for it, Sir, is that a gross injustice is being done to many millions of His Majesty's Mussalman subjects living in some of the Presidencies and Provinces of this Empire who yield to none in their loyalty and devotion to the British Throne.

“ Holidays in India, Sir, are of two kinds. Those that are declared as such under the provision of section 26 of the Indian Negotiable Instruments Act of 1881 and those which in addition to the above are gazetted as merely Government holidays. During the former not only Government offices but banks, mercantile firms, mills, factories, docks and in short all places of public business are closed. Whilst during the latter Government offices alone are closed. It is the practice with all Local Governments to declare certain days as holidays in the Local Gazettes under both the above heads in the month of November or December for the ensuing year. On an examination of these Gazettes it will be found that in the year 1911 in addition to the 2 general holidays, *viz.*, the King-Emperor's Birthday and the Proclamation day, there were declared under the provision of the Negotiable Instruments Act in the Punjab

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8 Hindu, 8 Christian and 6 Mussalman holidays; in the United Provinces 12 Hindu, 8 Christian and 7 Mussalman holidays; in the North-West Frontier Province 9 Hindu, 8 Christian and 7 Mussalman holidays; in the Central Provinces 10 Hindu, 8 Christian and 7 Mussalman holidays; in Coorg 13 Hindu, 8 Christian and 3 Mussalman holidays; in Bombay 9 Hindu and Jain, 9 Christian, 4 Parsi and 2 Mussalman holidays; in Madras 13 Hindu, 9 Christian and 1 Mussalman holiday; in Burma, 18 Buddhist, 19 Christian and no Mussalman holiday; in Eastern Bengal and Assam 16 Hindu, 8 Christian but not one Mussalman holiday; in Bengal 16 Hindu, 8 Christian and not one Mussalman holiday. I have chosen the year 1911 because in 1912, alone in the Presidency of Bombay this gross injustice was in some measure rectified. Of this I shall deal presently. So now it will be seen that in Bengal both Eastern and Western as well as in Burma and I may also add in the "Baby" Province of Bihar and Orissa and the "young old" province of Assam not a single day of Mussalman religious festivals is a public holiday under the Act and that in Madras there is one and only one day. Now, Sir, what are the principal communities in India that owe allegiance to His Majesty and that are governed by the same laws but that ought to be treated with the same fairness and justice. I think, we are all agreed that the Hindu, the Mussalman and the Christian are the 3 most important communities in British India; at any rate no one will deny that the Mussalman community is one of the most important. I will not say that the Parsis are not important, or the Buddhists are not important, but wherever these communities are found in appreciably large numbers their claims have all along been recognised. In Bombay the Parsi, and the Jain communities are to be found in large numbers and they have each some of their important religious days of festivals declared as public holidays under the Act. Now, Sir, what have the Mussalmans of Bengal, Assam, Burma, Bihar and Madras done to deserve this unfair treatment and to merit this invidious distinction. Some hostile critic, out of sheer ignorance, might say that in those Presidencies and Provinces the important days of Mussalman religious festivals are gazetted as Government holidays. But, Sir, I humbly submit a Government holiday is one thing and a public holiday under the Act is another. No doubt courts and Government offices are closed on those days but in many instances Mussalman employes are asked to attend their offices after their prayers. There are many schools and colleges which are not all closed on those days; only the Mussalman students are allowed to absent themselves. By doing which they naturally miss all their lectures.

"The same critic may say that the Mussalmans in those Provinces and Presidencies are not largely employed in banks and mercantile concerns and therefore they ought to be satisfied with Government holidays only. But these holidays are not asked for only Mussalman employes in banks and mercantile offices but they are asked for on behalf of the Mussalman public who have connections and concerns with all banks, mercantile offices and all business centres. They are asked for on behalf of hundreds and thousands of Mussalman mill hands, factory hands and those that are employed in the docks. If the Mussalman public is perforce obliged to abstain from all business on days which are holy to other communities, surely they have a right to abstain from all business on days which to them are most sacred. But the greatest hardship is caused however to the Mussalman merchants in general who have repeatedly asked the Government to declare their religious days holidays under the Act but so far their feeble voice has been raised in vain. Sir, it often happens that their bills of exchange fall due on days sacred to them, and as Mussalman merchants generally close their places of business on those occasions often forgetting the due dates of their bills, such bills cannot accordingly be met and are consequently dishonoured. Thus they often fall into serious difficulties, and as this is true in Bengal, so is it true in Madras, Assam, Bihar and Burma.

"Now let us see what happened in Bombay. Before the year 1911 only one Mussalman religious day used to be declared as public holiday and that was the Mohurrum. As it was found that certain public holidays would fall

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on Sundays in the year 1912 the Government of Bombay in their Gazette dated the 21st November 1911 declared another Mussalman day in addition as a public holiday for the year 1912 and that was the Bakr-i-Id or more properly speaking Id-uz-Zuha. Now my friend the Hon'ble Sir Ibrahim Rahimtoollah moved a resolution in the local Council on the 26th of July 1912 which ran as follows: 'That the Government of Bombay be requested to notify under the provisions of the Negotiable Instruments Act the following two additional public holidays for the next year, *vis.*, the Ramzan Id (*i.e.*, the Id-ul-Fitr) and the Bar-i-Wafat.' To this the Hon'ble Sir Richard Lamb replied as follows:

'During the course of this year it has been felt that there is a good deal of trouble and inconvenience relating to public holidays. It has been decided therefore to appoint a special committee, other than the annual committee which meets to recommend the holidays for the ensuing year. The special committee will be instructed to examine the whole question.' Of this committee my friend the Hon'ble Mr. (now Sir) C. H. Armstrong was the Chairman and my friend the Hon'ble Sir Ibrahim was one of the members. I greatly deplore the absence of both these friends of mine, especially the latter, from this Council to-day, for had he been present he would have himself testified to what great difficulties he had to surmount and what a keen fight he had to make and that would have made still more apparent how important was this resolution which I have the honour of placing before you to-day.

"I am perfectly aware, Sir, that the discretion as to the notification as public holidays of particular days in particular provinces was deliberately vested in Local Governments by the Government of India in 1909. But if the principle which is embodied in my resolution had been laid down by the Government of India, it would have greatly strengthened the hands of the Local Governments in using that discretion justly and impartially towards all the important communities and there would not have been any necessity for my friend's campaign on behalf of Mussalman holidays in Bombay or even for me to move this resolution.

"Now the Bombay Committee in their report stated that, 'although the committee recommend the increase of 2 days accounted for by the inclusion of 2 additional Mussalman holidays which brought up the total to 28 whereas the existing number of public holidays all along was 26, they desire to state that they are not in favour of more than 26 bank holidays; in fact a less number is favoured.' So it was seen that whereas my friend pleaded for the very minimum that should be granted to the Mussalmans, namely, the two Ids, the Mohurram and the Bar-i-Wafat, the committee could only recommend 2 in addition to the one already existing. Whereupon the Hon'ble Sir Ibrahim Rahimtoolla submitted a very able though elaborate minute of dissent from which with the permission of this Council I will only quote a few lines. My friend wrote, 'I cannot agree with the report of the majority of the committee. The prevailing feeling in the committee was that as the total number of bank holidays was to be increased from 26 to 28, the 2 additional days should be granted to the Mussalman community and that all the holidays previously recognised should not be disturbed. This attitude can hardly be regarded as consistent with the specific instructions conveyed by Government. What Government desired the committee to do, was to rediscuss the whole question of the festivals to be observed as bank holidays, and I think it was the duty of the committee to have fully inquired into the relative importance of each of the holidays to be recommended and those alone should have been accepted as could have been amply justified.' He then went on to say 'If my community has all these years remained under a manifest injustice and the other communities enjoyed a large number of days as holidays, is that a sufficient reason to perpetuate such injustice in order to secure some of those days as bank holidays for which there never has been any adequate justification.' Now what did the Bombay Government do? Be it said to their credit, by their resolution dated the 28th November 1912 they redressed this long-standing grievance of the Mussalmans once for all. With your permission, Sir, I shall just quote a few lines from their resolution. This is what they said, 'Having



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regard to the opinion expressed by the committee that they are in favour of a smaller number than 26 actual bank holidays, Government is of opinion that the following 5 days may more appropriately be granted as sectional holidays than notified as holidays under the Negotiable Instruments Act: the day following the New Year's day, the Easter Monday, Pausausan, Kalichaudas (*i.e.*, one of the 3 days of the Dewali), and the New Year's Eve. On the other hand, Government consider that all the three Mussalman festivals, namely, the Bar-i-Wafat, the Ramzan Id, and the Bakr-i-Id should be allowed as holidays under the Negotiable Instruments Act in addition to the Mohurum which is usually notified under that Act. *'The Mussalman community', the Bombay Government went on to say, 'is large both in Bombay city and outside it and the grant of 4 holidays is not too generous a recognition of festivals which are of very great importance to that community.'*

"Now let us turn to Bengal and let us see what happened there in the course of the last year about the same time. When I was at Simla in September last I raised this very question of Mussulman holidays but as at that time I had in my view particularly the disabilities which we suffer in Bengal I was referred to the Bengal Government. Our thanks are, however, due to my friend the Hon'ble the Home Member Sir Reginald Craddock who on hearing of this strange anomaly sympathised with us and from whom I came to learn for the first time that in the Central Provinces where the Mussulman population was not more than 2 or 3 per cent. they had 7 Mussalman days of religious festivals declared as public holidays. Whereas in Bengal where the Mussulman population exceeded the Hindu by more than 2 millions we did not have a single day. I accordingly submitted a Note on the question of Mussulman holidays on the 27th October last on behalf of the Mussulmans of Bengal to His Excellency Lord Carmichael who has already won our hearts by his broad sympathies, his courtesy, his wise statesmanship and his keen desire of getting all information he can at first hand. The Government of Bengal, notably my friends the Hon'ble Sir William Duke and the Hon'ble Mr. Lyon expressed their sympathy and decided after formal reference to the Bengal Chamber of Commerce to declare at once the two Ids and the Mohurum as public holidays under the Act for the ensuing year, that is for the year 1913. To ensure that the Chamber did not give an adverse vote altogether and to plead the cause of the Bengal Mussulman community with the European commercial men I myself interviewed all the principal commercial magnates of Calcutta, among whom, not the least, was my friend on my left the Hon'ble Mr. Monteath. Every one of those whom I saw expressed astonishment at the strange anomaly and his sympathy with the Mussulman community. From among the numerous letters of sympathy which I received from the leading commercial men of Calcutta I shall just read a few lines with your permission from one or two of them. My old colleague and the late chairman of the Bengal Chamber of Commerce, Sir Cecil Graham in his letter to me of the 14th November last says, 'In connection with your visit and the talk we have had with regard to the declaration of certain Mahomedan holidays as public holidays I should like to say that I am certainly in sympathy with your views and consider that your holidays should be recognised and I hope some method may be devised by Government by which this can be done without unduly or excessively extending the number of public holidays which already exist in Calcutta.' Mr. A. Topping of Messrs. Macneil & Co. and a member of the Executive Committee of the Bengal Chamber of Commerce wrote on the 28th of November last, 'I am in full sympathy with you for some recognition being taken of Mahomedan festivals under the Negotiable Instruments Act. I must say however that I consider that the present number of holidays granted to Christians, Hindus, and Mahomedans as already too many. I think therefore that a solution of the anomaly so far as the Mahomedan community is concerned would be if the present total number of holidays were divided by three and each sect, Christian, Hindu or Mahomedan were allotted an equal number. If this can be arranged there would be no feeling of jealousy or unfairness in the minds of either sect.' Personally I do not go so far as

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Mr. Topping nor can I advocate a method such as he suggests. The Secretary to the Bengal Chamber of Commerce in his letter No. 2197 of the 14th of December 1912 in reply to the Government of Bengal says 'You solicit an expression of the views of the Chamber upon the proposal that 3 Mahomedan festivals, the Id-ul-Fitr, the Id-uz-Zuha, and the Mohurrum should be declared as public holidays under the Act; and you point out that the adoption of this proposal would involve an addition of 3 days to the number of close holidays. In reply I am to say that the Committee of the Chamber agree with the principle that in Bengal Mahomedans as well as Hindu festivals should be recognised as public holidays. They do not therefore take exception to the proposal provided that it does not involve an excessive addition to the number of public holidays. The point is of course one for determination by Government but in their opinion there ought not to be more than 2 days added to the list.'

"On the receipt of this letter from the Chamber and on finding that the very least number, I may say the irreducible minimum, being the 2 Ids, the Mohurrum, and the Bar-i-Wafat that is 4 days which alone would satisfy the Mussulmans, the Government of Bengal postponed for further consideration the question of Mussulman holidays. So in Bengal the situation at present is that in order to meet the wishes of the entire Mussulman community the European commercial community through the Bengal Chamber of Commerce have expressed their willingness to agree to an additional 2 days over and above the existing number of public holidays. The solution of the difficulty now is best found in the letter addressed to me by Mr. G. Dunbar of the Bank of Bengal, who wrote to me on behalf of himself and the directors among whom are the Hon'ble Mr. J. C. Shorrocks, the Hon'ble Sir F. C. Dumayne, members of the local Council and others. Mr. Dunbar says, 'It seems unreasonable that there should be no Mussulman holidays gazetted under the Negotiable Instruments Act for Bengal, Burma and Assam. My directors consider no objection could be taken to 2 or 3 additional holidays being gazetted to meet the wishes of the Mussulman community. If the Hindu community can be induced to give up some of their holidays then all the 5 days mentioned in your note might I think be gazetted holidays under the Act.'

"Now it is not for me to ask that a place should be found for Mussulman holidays in the list of public holidays by curtailing many of the holidays from other sister communities. But I should just like only to mention that if the Hindu community of the Punjab or the United Provinces or Bombay could do with 8, 12, 9, respectively surely the Hindu community of Bengal could be generous enough towards a brother community by being ready to do with 2 or 3 less from their well-filled stock of 16. It is not for me, Sir, to say how many or which of their days the Hindu community should be prepared to give up out of deference to a brother community. It is for the Hindu leaders to say so and it is for the Government to devise the method by which this consummation could be brought about. I therefore appeal to the leaders of the Hindu community, no less distinguished among whom are some of my Hon'ble colleagues present in this Council today, to give a tangible proof of their sympathy and neighbourly feeling. On looking at the list of holidays in Bengal and in other provinces where the Mussalmans are unfairly treated I find that the 27th of December is a public holiday under the Act. For this I respectfully submit, I can find no justification whatever. As this is neither a sacred day nor is it declared as a public holiday in the Presidency of Bombay for instance. The same thing can be said almost of the 24th or the 26th or the 31st of December. So with the two additional days already agreed to by the European non-official community and the curtailment of the 27th of December there remains but only one or two days which the Hindu community of Bengal and elsewhere would have to be prepared to give up, though the same may still be retained as a Government holiday, and may I hope in this they would not be found wanting. The discretion in the declaration and the discrimination of holidays has been vested by the Government of India in the Local Governments. I have already stated that the Government of Bengal are now prepared to look at this question in a sympathetic mood. So acting on the old

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adage of striking while the iron is hot I beseech this Council to pass the resolution moved by me and the Government to accept it in order that a policy may be declared once for all how this question should be dealt with by local Government and also thereby strengthen the hands of all the Local Governments concerned. Before I have done with Bengal I should just like to say with your permission, Sir, a word regarding the nature of Mussalman holidays. The two Ids, the Mohurrum and the Bar-i-Wafat are Mussalman days of religious festivals not only in Bengal, not only in India, but throughout the Mussalman world, unlike the Hindu holidays some of which are different and fall on different dates in different provinces and Presidencies. Our holidays are the same in India as in Turkey and as in China. Therefore we cannot agree to anything less than 4. Our brethren in the Punjab, United Provinces and elsewhere have broader shoulders and stronger lungs and therefore they have been able to secure from 6 to 7. We Mussalmans of Bengal and elsewhere plead for only 4.

"The two Ids and the Mohurrum are well known even to non-Moslems but the importance of the Bar-i-Wafat is not so well understood. To the Mussalmans the Bar-i-Wafat is even more sacred than is perhaps the Christmas-day to the Christians. The Bar-i-Wafat or as it is also called the Fatiha-Duaz-Daham is the twelfth of Rabi-al-Awal of the Mussalman lunar calendar. On that day the Great Prophet of Arabia was not only born but it was a happy coincidence that 60 years later on the same lunar month he departed from this mortal world. Therefore this anniversary of the birth and the death of the Great Prophet is naturally held in utmost veneration by Mussalmans all over the world.

"I do not desire to take up any further time of this Council by examining in detail the conditions that prevail in Madras, Assam, Burma or Bihar. For it is the same story all over with slight local variations.

"One word more and I have done. The act of placing the foremost important days of Mussalman religious festivals on the list of public holidays would not unduly or excessively increase the total number of public holidays in any province. For since these days depend on the lunar month they will by rote fall on days that would be already public holidays for the other communities. Hence there would not be any undue or excessive addition to the total number of holidays in any of the provinces or Presidencies where the question of Mussalman holidays has to be readjusted.

"In conclusion, Sir, I say that the Mussalmans have faith in the sense of justice of the British administration. They rely on the friendly feelings of the other important communities who owe common allegiance to the British Throne and they are looking forward with eager hope and expectation to the removal of their just grievance. By passing this resolution we shall be strengthening the hands of the Local Governments in dealing with this question with fairness and impartiality. The omission from the list of public holidays of the most important days of Mussalman religious festivals in some of the provinces and Presidencies of British India, apart from entailing disabilities and hardships on the Mussalmans of those parts I assure you, Sir, affects the prestige and the status of the entire Mussalman community.

"For these reasons I recommend this resolution to the favourable consideration of this Council and fervently hope that it will be carried unanimously."

**The Hon'ble Maharaja Manindra Chandra Nandi:—**

"Sir, I support this Resolution. I am sure that my Hon'ble friend the mover of this Resolution will be the first to repudiate any suggestion that the terms of the Resolution are capable of the implication that in the existing list of public holidays under the Negotiable Instruments Act the most important religious festivals of the different principal communities have been lost sight of. In upholding the high principle of religious toleration and non-interference the Government of India and all Local Governments have always given full latitude to the recognition and observance of all religious ceremonials and festivals. The Resolution aims at the extension of this wise principle. The Hon'ble Mr. Ghuznavi has rendered

[*Maharaja Manindra Chandra Nandi ; Mr. Fuzulbhoy Currimbhoy ; Mr. Surendra Nath Banerjee.*] [11TH MARCH, 1913.]

an important public service to his own community by obtaining a short recess for all Mussalman servants of Government to say their prayers on Friday in all public offices, and he now desires that a similar consideration should be extended throughout India and Burma to other communities in regard to their principal religious festivals. But I cannot agree to the proposal by my Hon'ble friend to curtail the Hindu holidays. We have every reason to believe that the Government are in entire sympathy with such a suggestion, and will give effect to it wherever necessary, or wherever any unintentional omission may be pointed out."

**The Hon'ble Mr. Fuzulbhoy Currimbhoy :** "Sir, the object of this Resolution, I think, from my Hon'ble friend's speech is this, that the Mussalmans of some of the most important Provinces are not getting their usual share of public holidays which they ought to get, and therefore I support the very reasonable Resolution of my Hon'ble friend. He moves for the recognition by the Government of a principle of inclusion of religious days in the general list of what are known as Bank Holidays. In my own presidency a few months ago our claims were acknowledged, after a good deal of agitation in the Council and outside. Formerly we were getting only Moharrum as public holiday, but now, we are fortunate in getting the most of the religious Mussalman holidays, namely, Id-ul-Fitr, Id-uz-zoha, Mohurram and Baravafat. Sir, these are the most important religious days in the whole of the Mussalman Religious Rituals, and I hope that the effect of passing this Resolution in the Council will be that it will strengthen the influence of the representatives of its community, including Mahomedans in asking for their most important holidays, and I hope that Mahomedans in every Province will do their best in at least getting these four days as holidays, which would be a great boon to the Mahomedan community in observing their religious ceremony. With these few remarks, I support the Resolution."

**The Hon'ble Mr. Surendra Nath Banerjee :** "Sir, I desire to associate myself with the appeal made to the Government that this Resolution should be accepted by them."

"Sir, any addition to the holidays under the Negotiable Instruments Act is more or less a serious matter from the business point of view, because it means the closing of banks, the closing of post offices ; it means more or less dislocation of public business. But, Sir, when the Muhammadan community have to submit to serious inconvenience by reason of this dislocation for the sake of other communities, I think the other communities, as a neighbourly and friendly act, ought to submit to some inconvenience for the sake of their Muhammadan fellow-countrymen."

"Sir, I must express my feeling of surprise that in the Bengal Presidency, where the majority of the population consists of Muhammadans, not one Muhammadan holiday should be regarded as a public holiday under the Negotiable Instruments Act. It is clearly an omission, and it is an omission which has been allowed to stand too long, and it seems to me that the time has come when it should be rectified. My advice to my Hon'ble friend to the left would be to persuade some Muhammadan Members in the Bengal Legislative Council to take up this matter and agitate about it with that keenness and enthusiasm which my Hon'ble friend has shown in this direction. I can assure him of this, namely, the whole-hearted sympathy of the Hindu Councillors in regard to this matter, which is a grave and clear injustice to their Muhammadan fellow-subjects."

"Finally, with reference to his appeal for the curtailment of the Hindu holidays, I am afraid none of us here present is in a position to give an answer. The question of Hindu holidays has been very carefully considered by the Government from time to time. I am old enough to remember the appointment of a Committee in this connection, when the matter was thoroughly gone into and the number of holidays was reduced. I believe, Sir, we have now come to the irreducible minimum, and any attempt on the part of Government or any public body further to curtail the number

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of Hindu holidays would give rise to serious controversy and agitation. From a tactical point of view, I would advise my Hon'ble friend not to press his case from this point of view. Let the Hindus enjoy their holidays. Let the Muhammadans have three or four more holidays if necessary, and in the attempt to secure three or four holidays under the Negotiable Instruments Act, I can assure my Hon'ble friend of the whole-hearted sympathy of my Hindu fellow-countrymen. With these words I support the Resolution."

**The Hon'ble Nawab Sayid Muhammad** :—"The Resolution moved by my Hon'ble friend is a simple one in that it does not formulate a new principle and does not advocate a new departure. The principle of granting holidays on important religious days as is well known is already recognised, and it is applied throughout India. All that the Resolution suggests is that the principle should be extended, and I don't think there can be any objection to such an extension. I know as a matter of fact holidays are granted to Government servants on religious days, though they are not gazetted holidays under the Act, and they are known as partial holidays. There is not much to be said on the Resolution as my friend has gone into details, and the remarks he made in introducing the Resolution are quite clear. I therefore support the Resolution."

**The Hon'ble Mir Asad Ali Khan** :—"Sir, in rising to support the motion of my Hon'ble friend Mr. Ghuznavi, I desire to point out that Government has already partially recognised the general principle as stated in the Resolution before the Council. For it will be seen from any Indian almanack or diary that important religious festivals of all the other communities are declared as public holidays under the Negotiable Instruments Act of 1881. But what the Resolution evidently seeks to obtain is the uniform extension of this principle in the case of Mahomedans to all the provinces of India. In Bengal, Assam and Burma there is unfortunately not even a single public holiday under the Act for any Mahomedan festival, however important it may be. While in the United Provinces and the Punjab, there are seven and six public holidays respectively for Mahomedans, there are but only one holiday in Madras and four in Bombay. It is with a view to secure uniformity in the number of Mussalman holidays all over the country that the Hon'ble mover, I understand, Sir, has brought this question before us. He has left no stone unturned in bringing it into public prominence and in drawing the serious attention of Government. The Mahomedan community are deeply interested in the matter, and are anxious that at least four of their most important religious festivals, namely, Id-ul-Fitr, Id-uz-Zoha, last day of Mohurram, i.e., Ashra and Bar-i-Wafat, should be recognised throughout India as public holidays under the Negotiable Instruments Act. These are no doubt partial holidays for Mahomedans. But in the absence of public holidays, the Mahomedan community, especially the mercantile section, are put to no small inconvenience. As the Banks are not closed on these days, business transactions become increasingly difficult and much hardship is felt in attending to Bank dues; also, Mahomedan students are seriously disabled from keeping up continuity of work at college or school. The Mahomedan community who not only number one-fifth of the total Indian population but historically as important as any other large community in India, are entitled to have these public holidays, and will surely feel grateful to Government for including at least their most important religious festivals in the list of public holidays. It may, however, be said that the proportion of Mahomedans varies in different provinces, and that the number of holidays too should vary. But, Sir, I venture to think that Mahomedans in any one province are not in such a hopeless minority that they may be treated as a negligible quantity. In the best interests, therefore, of my community, I consider it highly desirable that the same number of public holidays for Mahomedans should be allowed in all parts of the country. With these words I heartily support the motion of my Hon'ble friend, and trust the Resolution will meet with the acceptance of this Council."

[*Mr. Qumrul Huda ; Sir Reginald Craddock.*] [11TH MARCH, 1913.]

**The Hon'ble Mr. Qumrul Huda** :—" Sir, with your permission, I should like to say a few words on the subject of the Resolution moved by the Hon'ble Mr. Ghuznavi. It should be admitted by all of us that the public holidays gazetted under the Negotiable Instruments Act must be done on certain fixed principle. The number of holidays may vary in different Presidencies and Provinces, but the principle of Government in fixing these days must be one and the same everywhere. When the Mussalman holidays are gazetted under the Act in the United Provinces, the Punjab, Coorg and Bombay, there appears no reason why the Mussalmans of Bengal, Bihar and Orissa, Assam, and Burma should not have a single holiday under the Act. It is certainly a strange anomaly that the Mussalmans of these Presidencies and Provinces have not got a single day for the observance of their religious festivals. It is beyond dispute that the percentage of the Mussalmans in these parts of India is not a negligible quantity. Isn't it stranger still that the Mussalmans of the Provinces in which the proportion of Mussalmans is only one or two per cent. should get a large number of gazetted holidays, while, on the other hand, the Presidency and Provinces where their proportion is much higher have not been fortunate enough to get even one day of Mussalman holidays gazetted under the Act. I may be pardoned for saying that such actions of the Local Governments concerned create an invidious distinction between the different races inhabiting India. Therefore it is high time for the Imperial Government to declare the principle on which these religious festival holidays should be gazetted. I being a representative of the Mussalman community of Bihar and Orissa join my friend the Hon'ble Mr. Ghuznavi and submit to this Council that the principle of gazetting Mussalman holidays under the Negotiable Instruments Act should be one and the same all over India be declared. The most sacred and important of Mussalman holidays are Id-ul-Fitr, Id-uz-zoha, Mohurram and Fitaha-duaz-Dahum (Bara-i-Wafat), and these are the least that the Mussalmans can do with.

"With these few remarks I support the Resolution."

**The Hon'ble Sir Reginald Craddock** :—" Sir, the Resolution which has been moved by the Hon'ble Mr. Ghuznavi is to the effect that this Council recommends to the Governor General in Council, that, in the matter of public holidays under the Negotiable Instruments Act of 1881 the principle should be recognised that the most important days of religious festivals of the principal communities should be included in the general list of public holidays of every province or presidency throughout India and Burma. My Hon'ble friend on my right has suggested to me that we might express the principle of this Resolution in two lines of Macaulay—

'Let's keep the feasts of all the creeds.

'And keep the fasts of none.'

"Well, Sir, the principle of keeping the feasts is one which may very well receive our acceptance and, in fact, it has received acceptance in most of the Provinces; but, as the Hon'ble Member who moved the Resolution has himself stated, the matter is one in which under the provisions of the Act itself as well as by general practice and convenience, the actual determination of the public holidays to be notified is to be left to Local Governments; for not only do the adherents of the different religions vary very greatly numerically in different parts of India but, in the case of Hindus, some religious festivals are not observed everywhere, or are observed with much more importance in some places than in others. It is not therefore possible for Government actually to trespass on the legal powers of Local Governments by prescribing a uniform scale of holidays under this Act for India as a whole. The Hon'ble Member has however shown that in existing circumstances the principal Muhammadan holidays have not received in some Provinces the recognition which they deserve. He has explained to us the different kinds of holidays that exist, and he has given a list of their numbers. I do not think that the numbers he gave exactly correspond to the numbers that we have collected, but of course there may be some inaccuracies in the list. Now, the list that I have here shows that the number



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of holidays besides the statutory holidays that are named in the substance of the Act itself—the list of holidays notified by the Local Governments vary considerably in the different Provinces. There are only 12 such holidays in Burma, there are 19 in Bombay, there are as many as 26 in the United Provinces and 25 in the Punjab, and, further than this there are, as the Hon'ble Member has pointed out, a number of holidays which are recognised by Government for all its offices. These seem to vary very greatly in different parts of India. For example, Bombay adds to its holidays under the Negotiable Instruments Act no less than 41 days in the year, recognised as holidays in Government offices, if this list of mine is correct; whereas hard-working Madras only allows itself two. There are, it will be seen, therefore great variations in the number of holidays and there are also variations in the number and in the kinds of those which are notified under the Negotiable Instruments Act. Well, it would be a very simple and pleasant matter and in accordance with the sentiments of the lines of Macaulay that I read if we took all the Muhammadan holidays, added them to the total under the Negotiable Instruments Act, and increased the number to the total required.

“But, as the Hon'ble mover has himself recognised, there must be some limit to the total number of holidays for banking and commercial purposes. Consequently, it is impossible for us to give any instructions to the exact effect that Muhammadan holidays should be added *en masse*, or at least the principal ones for which the Muhammadans are asking, should be added *en masse* to those already notified; and it will be the duty of Local Governments, if this Resolution be affirmed, to consider carefully, in accordance with this principle, first the total number of holidays that can be notified consistently with commercial interests, and secondly, how they should be distributed with respect to the various creeds represented in India. How far and to what extent the extra holidays for which our Muhammadan friends plead can be added without detriment to the holidays of any other community it will be impossible for us to say at this moment; but in looking at this list of holidays which are notified under the Negotiable Instruments Act, it would appear that there is some margin in those Provinces where Muhammadan holidays are not recognised, before the total number of holidays will amount to the maximum number of holidays in other Provinces where they are recognised. For example, in the United Provinces there are 26 holidays under the Act, of which 7 refer to Muhammadan holidays, whereas in Bengal, Bombay and Madras the total number is 20, 19 and 22, respectively; so that it would appear that it might be possible to find some margin in order to find a place for these Muhammadan holidays.

“The Government of India have every sympathy with the desire of Muhammadans that their great religion should be recognised like the other religions in this matter of the distribution of holidays and they are very ready to accept the principle which has been put forward in this Resolution, and to commend the subject to the favourable consideration of the Local Governments. It is a great pleasure to me to find that on this occasion I have to say nothing whatever in opposition to a motion moved by one of my non-official friends.

**The Hon'ble Mr. Ghuznavi:**—“Sir, it was my pleasant duty once before to express my thanks to my Hon'ble friend, Sir Reginald Craddock, and it is my pleasant duty once again to do the same thing. On behalf not of myself but, I may say, of the entire Moslem community of Bengal, I beg to tender our respectful thanks to the Government of India for having recognised the principle which is embodied in my Resolution. I also, with your permission, take this opportunity of expressing my thanks to my brethren from other parts of the country, who have been good enough to lend me their support. I desire, particularly, to thank my Hindu colleagues for having shown that catholicity, for which I always gave them credit. My friend, the Hon'ble Mr. Surendra Nath Banerjee, is one of the most distinguished of Hindu leaders, and when we heard from his lips that he is ready to accord us his whole-hearted sympathy in this particular instance, in which the Moslems of Bengal are suffering great hardships and disabilities, I assure you,

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Sir, that nothing more was desired. But I would just like to point out to my friend that I did not advocate any great curtailment of Hindu holidays. I clearly stated that when I was quoting a few lines from the letter of my friend, Mr. Topping, which expressed a view though perfectly fair, it was not for me to press. I think he would now readily agree that I did not contend that any great curtailment of Hindu holidays should be made. But, at the same time, I should like to make my meaning clear. My friends and very great friends, the non-official European community of Bengal who have been the first to give me their whole-hearted support in this question, have told me that any very great increase in the total number of holidays would not be quite welcome to them; and, therefore, after consulting over this matter, the Bengal Chamber of Commerce agreed that there should be only two days added and no more. Sir, I think I clearly pointed out that the least we can do with is 4. Therefore, where are we to get two more from? This is the question. When I made my appeal to my friends, the Hindus, I pointed out that there were also certain days, besides their own, such as the 27th of December and the 31st of December which also required careful examination. I think, as matters stand, the duty is not mine, nor is it my friends. The duty clearly devolves on Government how to find a solution. What I desire to urge very strongly in this Council on behalf not only of Bengal but of all India, where the Mussalmans suffer the same disabilities, is that we should be given 4 days and not less. I could very well have asked for more, since we Mussalmans have, I suppose, quite as large a number of holidays as other communities; but I only plead for the irreducible minimum, *viz.*, 4.

"I am very much obliged to my Hon'ble friend, Sir Reginald Craddock, for having pointed out that there is room, even as things stand, for these Moslem holidays according to the list which he has got before him, and as such I do not think there is anything which he said that requires a reply.

"In conclusion, Sir, I should just like to say how grateful I am both to the Government and to my colleagues for having considered this Resolution in the light in which they have done."

The Resolution was put and adopted.

#### RESOLUTION REGARDING CORRESPONDENCE BETWEEN SECRETARY OF STATE AND GOVERNMENT OF INDIA RELATING TO THE PROMISED ROYAL COMMISSION FOR THE INVESTIGATION OF INDIAN FINANCE AND CURRENCY.

**The Hon'ble Sir Gangadhar Chitnavis :—**"Sir, I beg to move the following Resolution :—

'That this Council recommends to the Governor General in Council that the correspondence between the Secretary of State for India in Council and this Government relating to the promised Royal Commission for the investigation of Indian finance and currency be laid on the table.'

"Hon'ble Members will recollect that in the recent debate in the House of Commons on Mr. Gwynne's motion, the Right Hon'ble Mr. Asquith said : 'The Government thought and the Government of India agreed that although the inquiry into matters so technical by Select Committee was probably not the best means of attaining a desirable result, a stage had been reached at which there should be a thorough investigation by an expert body.' That statement was followed by the announcement that a Royal Commission would be appointed for the investigation of Indian finance and currency. In view of this announcement, an examination of the best method of inquiry is clearly unprofitable. The Royal Commission will come; what remains for us to interest ourselves about is that the best value is got for the costly machinery employed. The result will necessarily largely depend as much upon the personnel of the Commission as upon the scope of the inquiry referred to it. And, whatever might be said to the contrary, we people of India are the most deeply affected by the conclusions of that body. It is only fair and just, therefore, that India should claim to be heard at the earliest stages both about



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the constitution and the programme of the Commission. Once His Majesty's Royal pleasure is announced we shall be out of court, so to speak. Hon'ble Members will thus realise the gravity of the situation and the exigent necessity of seeking from Government all available information on the subject. Any suggestions the Indian public may be disposed to make must be based upon accurate information. Sir, Government rightly discourages ill-informed criticism. We non-official Members of this Council are sincerely anxious to avoid it. We welcome information. It rests with the Government to supply it to us. If it is not forthcoming, the blame is surely not ours.

"Sir, the foregoing excerpt from Mr. Asquith's speech points to the existence of correspondence between the Secretary of State for India in Council and the Government of India relating to the expert investigation of Indian finance and currency. In view of the magnitude of our interests at stake, a request for its publication cannot but be reasonable and legitimate, and cannot be refused with any semblance of justice. The refusal on the part of Government to lay the whole correspondence on the table, further, is liable to misconstruction, and would give a handle to malcontents to impugn the motives of Government. And this consideration alone should commend the Resolution to the acceptance of Hon'ble Members.

"Sir, already this question of Indian finance and currency has caused somewhat of a nervous anxiety among Indians. The genesis of the controversy ending in the official announcement is not reassuring. The clamour of English bankers and bullion merchants against the Indian absorption of a portion of the annual output of gold has been productive of considerable uneasiness in India; and when the agitation moves the Premier to promise a Royal Commission for inquiry, the popular nervousness naturally becomes intense, and the public mind seeks relief in the fullest information available. Messrs. Montagu have complained of the Indian imports of gold; so has Sir Edward Holden of the London City and Midland Bank, while Mr. Moreton Frewin has written a lot about what he calls 'the awful hæmorrhage of gold to India.' Indians feel sure this point of gold absorption of which we hear so much will bear the closest scrutiny. Apart from the fact that India has a perfect right to claim, if she chooses, that her debtors shall liquidate their debts in gold, which is the only legal tender for international transactions, it is an open question whether the alleged drain of gold to India is not itself a healthy tonic for European countries. In its issue of February 8th last, 'The Economist', a financial journal with a world-wide reputation for soundness and integrity, commenting on Sir Edward Holden's recent speech, says 'We regard the Indian consumption of gold with great satisfaction; for otherwise the rise of prices caused by increased production would be far more rapid and dangerous.' With an expanding export trade with gold-using countries, as the Hon'ble Finance Minister has so clearly shown in his speech on the Financial Statement, India must attract some portion of the world's output of that metal. By no chicanery can we be deprived of the value of our exports. At the same time there are other features of the Secretary of State's transactions which require careful examination in the interest of India. Year after year the complaint has been that the maintenance of excessive balances out of the proceeds from taxation and the withdrawal of large quantities of gold from India to be held by the Secretary of State in England, are prejudicial to Indian interests. Out of a total of £19,756,097 put to the Gold Standard Reserve in 1911-12, I find from the *Finance and Revenue Accounts of the Government of India for 1911-12*, on 31st March 1912 only £1,934,302 was held in India in coined rupees, and the whole of the balance had been transferred to England to be invested in securities. The 'cash placed by the Secretary of State for India in Council at short notice', which might mean cash freed at times to relieve the stringency of the London Money Market, amounted to the, relatively speaking, inconsiderable sum of £1,073,710, while the investments in securities accounted for £16,748,085. The Gold Standard Reserve, according to this year's Financial Statement, now stands at £22,000,000, of which £1,000,000 is held in India in rupees and the balance (£18,000,000) is invested in gold securities. Of the gold of the Paper Currency Reserve held in England, a trifle over

£2,666,666 is invested in 2½ per cent. consolidated stock. A strong body of expert opinion in India condemns this procedure. The position is this: If the large gold accumulations of the Gold Standard Reserve are really required for the support of exchange and for the purchase of silver for coinage, the fact of their being locked up in securities, be these gilt-edged or otherwise, is inconsistent with the main object. The only justification, if justification there be, for keeping such a large amount of gold, which belongs to India, in London, is that it may be immediately available for the maintenance of exchange, and not that it may be invested in British securities, or used for the purpose of helping the London money market round a tight corner. The necessity for scrutiny is even greater in the case of the Paper Currency Reserve. A good slice of the gold of that Reserve (£7,300,000) is also transferred to England and the whole is not held in a liquid state. The explanation is that the transaction is profitable; interest is earned. But the question obviously arises, is this procedure consistent with the primary object of the Reserve? The Reserve is held against the note circulation to ensure immediate payment. How is this purpose served by withdrawing the cash to England, only to be locked up in securities? Again, there is the question of the ordinary cash balances held by the Secretary of State in the Home Treasury in London. During the past two years these cash balances have been very much in excess of what the Secretary of State requires for Home charges, and the Indian public would like to know how far the interests of India are served by the maintenance of these high cash balances which have been lent out at low rates of interest to approved borrowers in London.

\* Finally there is the question of currency on which widely divergent views are held in London and in India. If one may judge from the opinions which have been voiced in England during the past year, the form of currency which should be adopted in this country should be determined, not with reference to what the people of India themselves desire, but with reference to what it is convenient for Lombard Street to let them have. The view which I wish to emphasise is that it is of vital importance that all these complicated questions should be examined from the Indian standpoint, and should be decided upon with the sole view of aiming at the interests of India. In the absence of the correspondence that has passed between this Government and the Secretary of State regarding the impending inquiry, Hon'ble Members of this Council have no means of satisfying themselves that Indian interests will in fact be placed in the forefront of the inquiry.

"Sir, this is one view of the matter, but the Government clearly hold the opposite view that there is nothing wrong about the management of the cash balances, that there is now perfect agreement between them and the Secretary of State about the application of the balances, and that the Indian currency stands on a sound unassailable basis. The Hon'ble Finance Minister in his introductory speech on the Financial Statement, has laboured the point at some length, and the idea one gets from those observations is that an elaborate investigation is superfluous. And yet, we have it on the authority of Mr. Asquith, this Government has agreed that an inquiry has become necessary. It is difficult to reconcile these positions. The correspondence called for in the Resolution above can clear up the difficulty.

"Sir, there is another reason why I move Government for the publication of the papers. In my humble opinion, on a Royal Commission of Inquiry into Indian finance and currency both this Government and the people should be properly and adequately represented. The Government of India, after the people, are the most vitally interested both in the issues and the result, and it will be unreasonable to ignore these interests in the composition of the Commission. I think, and I am supported in this view by Indian public opinion, the appointment of one official thoroughly conversant with the up-to-date financial methods of Government, one representative of European commerce and one Indian merchant or banker is absolutely necessary for safeguarding our interests. But our appeal in this respect will secure greater attention if founded upon the preliminary official correspondence. I hope and trust Hon'ble

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Members will weigh these considerations and accord their support to the motion."

**The Hon'ble Mr. Fuzulbhoy Currimbhoy** :—"Sir, the Hon'ble mover's request does not strike one as an extravagant one. The claim is, on the contrary, so modest that I do not know how it can be resisted with any regard for justice and fairness. The Government take an important step, involving, for one thing, large expenditure, and giving rise to speculation of all sorts. Is it right that the reasons that underlie the action should be kept back from the people? To my mind the case for publication of the papers has only to be stated to carry conviction. The plain truth is, we cannot take stock of our position until we have access to the correspondence on the subject of this Commission.

"Sir, in India we never thought there was any occasion for any elaborate investigation of the Indian currency. The whole subject has been discussed and considered very carefully before by two Committees. Both the Herschell Committee of 1893 and the Fowler Committee of 1898 came to conclusions which for all practical purposes were identical in aim and effect. Definite courses of action and lines of development were suggested, and the Government of India and the Secretary of State accepted them without any reservation. The financial policy of the Government of all these years has been shaped and moulded by them. Government once for all adopted a Gold Standard, and a Gold Currency was only a question of time. A Gold Currency is the ideal which the Government has so far kept in view. A reversal of this policy is hardly to be thought of. It stands justified by the results. Exchange has firmed up and has swung round the point fixed in 1893. In 1907-8 alone there was something like a serious disturbance, but the drop was temporary and might be explained satisfactorily. The Finance Minister in presenting the Financial Statement, was pleased to observe: 'Here in India we have made a great experiment in Currency, the experiment has been successful, and we are satisfied with our system as at present developed.' Indeed, Government have been so satisfied with the effect of their currency policy that only last year a large and important development was contemplated. And what is most hopeful in the whole situation is that the suggestion came from a Non-official Member of this Council who represented large commercial and manufacturing interests and who voiced the prevailing Indian opinion on the subject. Sir Vithaldas Thackersey had the support of practically the whole of the Bombay Presidency in his motion for an Indian gold coin. Government were impressed with the soundness of the views he expressed, and we have just seen the whole correspondence regarding the issue of sovereigns from the Bombay Mint in which this Government took up a strong position and committed themselves unconditionally to the suggested reform. The Secretary of State too favoured the idea, so much so that, notwithstanding the opposition of the Lords of the Treasury and his personal doubts about the anticipated results, he was prepared to sanction forthwith the minting at the Bombay Mint of a gold coin of a smaller denomination. That was, Sir, only on the 18th October last. These circumstances do not appear to leave room for an examination of the Indian currency. The principle is irrevocably settled, and awaits gradual enforcement in practice. The official mind up to almost the close of the year was unanimous on the question of policy. There was practical agreement between this Government and the Secretary of State. What may have suddenly transpired to shake the foundations of the official faith in an Indian gold mint and to make the Government sceptic about the expected economic results and agree to a further and superfluous investigation of the Indian Currency, is puzzling the Indian mind. The mystery is all the greater since the Hon'ble Finance Member appears even now to hold strong views on the success of the Indian Currency policy. And it cannot be that the Government hold contrary views. And yet the Government have agreed to the investigation. The only explanation must be contained in the official correspondence on the

[*Mr. Fuzulbhoy Currimbhoy; Sree P. Rama Rayaningar; Maharaja Manindra Chandra Nandi.*] [11TH MARCH, 1913.]

subject, and Government owe it to themselves to publish it for the satisfaction of the public. We know this much that a fresh Commission has been demanded by a body of London financiers who have evinced great and unreasonable uneasiness at our gold imports even though, according to the higher authority of the Finance Member, they help to equate our exports to gold-using countries and who would do all in their power to stop the inflow. The suspicion might well be entertained that their anxiety to keep all the gold of the world in the West inspires and prompts the suggestion of another investigation. And this feeling of distrust can only be removed by the publication of the papers. These considerations move me to support the Resolution. Sir Chitnavis' suggestion that an official of the Finance Department and two non-official financiers, one a European and the other an Indian, should be associated with the other experts on the Commission represents the prevailing Indian sentiment. I go further, and would suggest the appointment of two Indians instead of one on the Commission. There are so many capable Indians, now, especially on the Bombay side, who have a clear comprehension of the issues involved and who by their experience and their knowledge of the financial needs of this country, are quite competent to make helpful suggestions. But I do not press this point in view of the terms of the Resolution. With these words, I support the Resolution."

**The Hon'ble Sree P. Rama Rayaningar:**—"Sir, my friend the Hon'ble Sir Gangadhar Chitnavis has truly observed that any suggestions the Indian public may be disposed to make in connection with the investigation of Indian finance and currency must be based upon accurate information. The Hon'ble Member is therefore perfectly right in moving for the publication of the correspondence. The arguments he has advanced in support of his motion cannot fail to impress Hon'ble Members, and I for one have no hesitation in supporting the Resolution. I do not think that Government will object to take the people into their confidence in this matter. The publication of the correspondence will remove a good deal of misapprehension which now exists in India on the subject. The agitation in England over the shipments of gold to India has created quite a sensation in this country, and the Parliamentary debate on the management of Indian finances was watched by the people with the keenest interest. On account of one or other of these somewhat disquieting circumstances the public mind is in a state of doubt and anxiety. The announcement that a Royal Commission of inquiry would be appointed has, instead of relieving this anxiety, increased it to some extent. There is, in consequence, an earnest desire all over the country for more detailed information regarding the preliminary discussion of the points between the Secretary of State for India in Council and this Government. The publication of the correspondence will be welcomed by anxious India. I hope Government will be pleased to accede to this request and to supply the information sought for. The other points which the Hon'ble Sir Gangadhar Chitnavis has raised referring to the composition of the Royal Commission has a paramount interest for us. The Government of India, equally with the people, are vitally interested in it. From the Indian standpoint it is absolutely necessary that there should be on the Commission one official thoroughly conversant with the financial methods of Government, one representative of European commerce, and one Indian merchant or banker. I earnestly hope that Government will be pleased to bestow their best consideration on the subject.

"With these observations, I support the motion."

**The Hon'ble Maharaja Manindra Chandra Nandi:**—"Sir, I beg to support the Resolution moved by the Hon'ble Sir Gangadhar Chitnavis. The announcement made by the Prime Minister in the House of Commons on the 13th February last regarding the appointment of a Royal Commission to inquire into the India Office finances intimately concerns this Council. We in this Council are not in a position to express any opinion on the agitation that was set up in England on this subject or the correspondence that appeared in certain leading English newspapers and which ultimately led to the

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[*Maharaja Manindra Chandra Nandi ; Rai Sita Nath Roy Bahadur ; Babu Surendra Nath Banerji.*]

decision about the appointment of the Royal Commission. Considering, however, that the finances of the India Office have an important bearing upon the finances of the Government of India, the correspondence that has passed on this subject between His Majesty's Secretary of State for India and the Government of India should be placed on the table for the information of the Council. I venture to think that this correspondence cannot be treated as confidential in view of the fact that it will have to be placed before the Royal Commissioners when they enter upon the inquiry for which they have been appointed. It may be contended that any discussion in this Council on this correspondence is undesirable at this stage and this is a view which, I am sure, will commend itself to the Council. But this objection does not hold good as regards the publication of the correspondence. The matter was first mooted in the House of Commons and led to subsequent correspondence and agitation outside the House. This agitation has culminated, as I have already ventured to point out, in the announcement of the appointment of a Royal Commission, and we respectfully request that the papers may be laid on the table of the Council before the Commission enters upon its labours."

**The Hon'ble Rai Sita Nath Roy Bahadur** :—"Sir, I have nothing to say in particular respecting the subject of the Resolution just now moved. At this stage I need not enter into the question of gold currency. All that I can say at present is, that gold coins would be particularly acceptable to the people in the mofussil, and it would facilitate trade. It is, however, apprehended that gold coins would be absorbed and hoarded by the people. Nothing can be more groundless than the idea that gold coins would be hoarded or buried underground in this way. They can only be used for trade purposes. They might in some particular cases be used for ornaments and necklaces, etc. I beg to support the Resolution that all the correspondence that passed should be published for the information of the people."

**The Hon'ble Babu Surendra Nath Banerji** :—"Sir, I desire to accord my support to the Resolution which has been moved by my Hon'ble friend. We ought to know something about this Royal Commission and the circumstances which led to its appointment. There has been a good deal of discussion about the genesis of the proposed Royal Commission. Whether its appointment was due to personal or party considerations is not our business to inquire into. We have the Royal Commission. The Royal Commission will inquire into the India Office finances, and I think we ought to make the best of the situation. In order to be in a position to understand the scope and objects of the Commission and the proceedings that may take place hereafter, it is a matter of the first importance that the correspondence which led to its appointment should be placed before us. I do not wish to follow my friends into the intricacies of currency and the financial questions with which some of them have dealt, but there are two considerations which stand out in striking prominence in the speech of the Hon'ble the mover of this Resolution, and I desire to advert to them for a moment. Sir, whatever may be the genesis of the Royal Commission, and the circumstances which led to its appointment, there can be no doubt that it ought to approach whatever questions may be brought before it from the Indian standpoint, and that its sole aim ought to be the promotion of Indian interests. Well, Sir, if that be the object of the Commission, it is obvious that India ought to be adequately represented on that Commission—represented by official experts, represented by commercial European experts, represented by Indian financiers.

"Sir, in this matter of finance happily we are all united. There can be no divergence of opinion between Europeans and Indians, between officials and non-officials, for the protection of the sacred interests of our finance and for financial justice to India. Here we meet upon a common platform and are moved by absolute unanimity of sentiment. That being so, I thoroughly associate myself with the appeal made by the Hon'ble the mover that at least there ought to be one official expert, one expert to represent European commerce, and one or two Indian experts on this Commission, so that Indian interests

[*Babu Surendra Nath Banerji ; Sir Guy Fleetwood Wilson ; Sir Gangadhar Chitnavis.*] [11TH MARCH, 1913.]

may be adequately safeguarded and the Indian standpoint pressed home. With these remarks, I beg to support the Resolution of my Hon'ble friend."

**The Hon'ble Sir Guy Fleetwood Wilson** :—"The specific point raised in the Resolution is a request that the correspondence relating to the appointment of the Royal Commission to inquire into India Office finances be laid and published.

"No correspondence on the subject exists, except a telegram received from London announcing the intention to appoint the Royal Commission. I shall be very glad to shew Sir Gangadhar or any other Member this telegram, and I am sure that they will agree that it is really not worth while to publish it.

"It will be in the recollection of this Council that in introducing my Financial Statement I alluded to the fact that the Prime Minister had stated in the House of Commons that a scientific inquiry into the various difficult problems on currency and finance, and the relations between the India Office and the Government of India in regard to them had been decided upon.

"I gather that the object my Hon'ble friend has in view in moving this Resolution is not so much the production of documents, which, as I have said, do not exist, but rather to emphasize the opinion generally held in this country that Indian interests should not only be fully safeguarded, but should also be represented on the proposed Royal Commission.

"I may remind the Council that the responsibility for advising the Sovereign in regard to Royal Commissions rests solely with the Prime Minister as Chief of the Cabinet at home; but I have no doubt whatever that the discussion which has taken place to-day will have the effect which my Hon'ble friend desires, of bringing prominently to the notice of the Home Government Indian opinion on the subject, and in the circumstances I think my Hon'ble friend will hardly wish to press his Resolution further."

**The President (The Hon'ble Sir Harcourt Butler)** :—"In view of the statement made by the Hon'ble the Finance Member, the Resolution has ceased to have any bearing, as the documents do not exist."

**The Hon'ble Sir Gangadhar Chitnavis** :—"Sir, I am thankful to the Hon'ble the Finance Member for his kind references to me, and for his sympathetic treatment of the whole subject. I am also thankful to the Hon'ble Members who have supported me. The Hon'ble Sir Guy Fleetwood Wilson has stated the Government case with a frankness which cannot but appeal to Hon'ble Members. From the sympathetic nature of the reply we have every hope that the views of the Indian public about the personnel of the Commission will be submitted to the authorities in England, and I have no doubt they will be duly considered by the Prime Minister. Our chief concern as I have already observed, is that in the discussion of the important and intricate questions of finance and currency thousands of miles away from India, Indian interests should be properly represented, and, further, that the conclusions of the commission should be arrived at with the sole object of safeguarding and promoting those interests. We could have rested satisfied if the final say lay with our friend the Hon'ble Sir Guy Fleetwood Wilson. Indian interests could not be in better hands. By his solid services to the country, he has earned our confidence, respect and esteem. In view, however, of his explanation, I do not deem it necessary to press the Resolution, and I beg leave to withdraw it."

The Resolution was, by permission, withdrawn.

The Council adjourned to Monday, the 17th March, 1913.

W. H. VINCENT,

*Secretary to the Government of India,  
Legislative Department.*

DELHI ;

*The 17th March, 1913.*