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**PROCEEDINGS
OF
*THE INDIAN LEGISLATIVE COUNCIL***

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

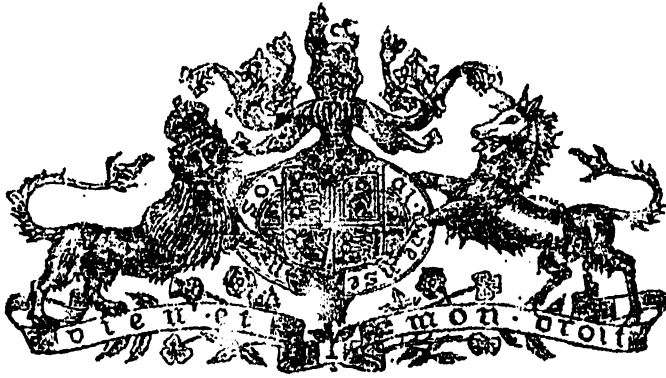
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GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915.
(S & S Ges. V, Cl. 61.)

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on
Friday, the 20th February, 1920.

PRESENT:

The Hon'ble SIB GEORGE LOWNDES, K.C., K.C.S.I., Vice-President, *presiding*,
and 62 Members, of whom 55 were Additional Members.

QUESTIONS AND ANSWERS.

The Hon'ble Mr. V. J. Patel asked :—

1. "(a) On what principles do Government propose to reconsider the special representation of landholders in the Provinces?"

(b) Is it a fact that the Franchise Committee have recommended special representation of the Sardars in Gujarat in the Bombay Presidency, whether such Sardars are landholders or not?"

11-3 A.M.

Representa-
tion of the
Sardars in
Gujarat.

The Hon'ble Sir William Marris replied :—

"(a) It has been ascertained that the Joint Committee's intention was that the special representation of landholders in the provinces should be reconsidered on the lines indicated in paragraphs 15 and 16 of the Government of India's fifth despatch to the Secretary of State, and this is being done.

(b) The Franchise Committee have proposed that the Sardars of Gujarat should form a landholders' constituency. If the Hon'ble Member has any particular point to urge in this connection, the Government of India will be glad to bring it to the notice of the Government of Bombay."

[*Mr. V. J. Patel; Sir William Vincent; [20TH FEBRUARY, 1920.]*
Mr. Shaif; Sir Claude Hill; Sir George
Barnes.]

The Hon'ble Mr. V. J. Patel asked :—

Separation
of executive
and judicial
functions.

2. “(a) Is it not a fact that there is an unanimous demand in the country for the separation of the executive and the judicial ?

(b) Do Government propose to take up the question in the opening of the new era ?”

The Hon'ble Sir William Vincent replied :—

“Government believe there is a large volume of opinion in favour of further separation of the executive and the judicial. They have no doubt that the new Governments under the Reforms Scheme will give the question their early consideration.”

The Hon'ble Mr. V. J. Patel asked :—

Resolution
of the
Government
of India on
Local self-
Government.

3. “Which of the Local Governments or Administrations, if any, have introduced or passed legislation to give effect to the Resolution of the Government of India on local self-government ?”

The Hon'ble Mr. Shaif replied :—

“Since the publication of the Resolution of the Government of India on local self-government in May 1918, the Governments of Madras and of Bengal have introduced into the local Legislative Councils measures of local self-government and those measures have been passed. The Governments of Madras, Bombay, Burma and the Central Provinces have also introduced legislation on local self-government.”

The Hon'ble Mr. V. J. Patel asked :—

The silk
industry.

4. “What action have Government taken on the report of the expert employed to make investigation into the silk industry ?”

The Hon'ble Sir Claude Hill replied :—

“The recommendations contained in Mr. Lefroy's Report on the silk industry in India have been communicated to the Local Governments concerned. The Government of India have decided that the first problem to be solved is the production of disease-free seed, and with this end in view they have decided to establish a Central Seed Station at Shillong, and have engaged the services of a protozoologist, who is now conducting investigations into the diseases of silk worms. The policy to be pursued in the future will depend to a large extent on the result of these investigations.”

The Hon'ble Mr. V. J. Patel asked :—

Liquor
shops in
Bombay.

5. “(a) Is it a fact that the Government of Bombay have vetoed the Resolution of the Bombay Legislative Council passed in 1918 to the effect that the power to determine the number and location of liquor shops should be given to select Municipalities ?

(b) Do the Government of India propose to request the Government of Bombay to reconsider their decision ?”

The Hon'ble Sir George Barnes replied :—

“ (a) Yes.

(b) No. It would not be proper for the Government of India to interfere in the matter.”

[20TH FEBRUARY, 1920.] [*Mr. V. J. Patel; Sir William Marris.*]

The Hon'ble Mr. V. J. Patel asked :—

6. "(a) Has the attention of Government been drawn to the following observations of Lord Carmichael appearing at page 983 of the unrevised Official Report of the debates in the House of Lords of 12th December, 1919:—

'I say that the Indians must themselves make this Bill a success, but I think it will lie with us, with the Government, to help the moderate men. It will lie with the members of the Civil Service to a great extent to help them and I believe they will do so.'

(b) Will Government be pleased to say how and in what way they propose to help the moderate men in order that they may prevail?"

The Hon'ble Sir William Marris replied :—

"(a) Government have seen the report referred to.

(b) The Government of India understand that the reference is not to any particular section of political thought, but to the cause of moderation in general. They think that this will be best promoted by making the Reforms Scheme a success, as they will endeavour to do, so far as lies in their power."

The Hon'ble Mr. V. J. Patel asked :—

7. "(a) Has the attention of Government been drawn to the following query of Lieutenant-Commander Kenworthy and the reply thereto by the Secretary of State appearing at page 274 of the Official Report of the debate in the House of Commons of Wednesday, 3rd December, 1919:—

'Lieutenant-Commander Kenworthy:—Did the Government of Bombay itself suggest and recommend that these subjects should be transferred?

Mr. Montagu:—No, so far as my recollection goes, I think my hon'ble and gallant friend will find that they recommend the transfer of irrigation by a majority and the reservation of land-revenue by a majority.'

(b) Will Government lay on the table the recommendations referred to and state whether the above reply of the Secretary of State is correct?"

The Hon'ble Sir William Marris replied :—

"(a) The answer is in the affirmative.

(b) The remarks under item 15 'Land Revenue' and item 26 'Irrigation' in annexure No. 1 to the report of the Committee on Division of Functions show that the facts are as stated by the Secretary of State in his answer to Lieutenant-Commander Kenworthy's question. As the recommendations of the Bombay Government have already been published, it is not proposed to lay them on the table."

The Hon'ble Mr. V. J. Patel asked :—

8. "(a) Is it a fact that the Secretary of State in the House of Commons gave an assurance that the recommendations of the people of India would be considered by the Government of India in framing rules under the new Act?"

(b) If so, how do Government propose to give effect to that assurance?"

The Hon'ble Sir William Marris replied :—

"(a) The Hon'ble Member is presumably referring to the statement of the Secretary of State that the recommendations of various people would be considered in framing the rules in India.

(b) The Hon'ble Member is referred to the answer given to the question asked by the Honourable Mr. Khaparde on the 11th instant, which explains the steps proposed by the Government of India for the consultation of non-official Indian opinion in regard to the framing of the rules. Analogous action will be taken by Provincial Governments in regard to the rules, regulations and orders with which they are concerned."

Consideration by Government of the recommendations of the people of India in framing rules under the new Act.

[Mr. V. J. Patel; Sir William Marris.] [20TH FEBRUARY, 1920.]

The Hon'ble Mr. V. J. Patel asked :—

Rules governing franchise under the new Act.

9. "(a) Has the attention of Government been drawn to the remark of Sir J. D. Rees at page 467 of the Official Report of the debate in the House of Commons of 5th December, 1919, to the effect that the Government of India can make changes at any time in the franchise now settled ?

(b) Do Government propose to include in the rules to be framed under the Government of India Act definite principles governing such changes ?"

The Hon'ble Sir William Marris replied :—

"(a) Yes.

(b) The attention of the Hon'ble Member is invited to the remarks of the Joint Committee on clause 7 of the Government of India Bill. The Joint Committee have recommended that the franchise as settled by the rules to be made under the Act should not be altered for the first ten years, and that it should at present be outside the power of the Legislative Councils to make any alteration in the franchise. It is not proposed accordingly that the rules should provide for any alteration of the franchise except in respect of women suffrage, for which it is proposed to make provision in accordance with the Joint Committee's special recommendation on this matter."

The Hon'ble Mr. V. J. Patel asked :—

Grant of the vote to ex-sepoys.

10. "(a) Has the attention of Government been drawn to the speech of Mr. Spoor appearing at page 257 of the Report of the 4th December, 1919, in which he says that the Joint Select Committee with complete unanimity once adopted the proposal to give the vote to *ex-sepoys*, but that later on that decision was reversed because of a telegram that came from the Government of India expressing disapproval of the proposal ?

(b) If the above statement is correct, will Government state the reasons which prompted them to send the telegram and oppose the proposal ?

(c) Do Government propose to reconsider their decision and give the vote to *ex-sepoys* in all the provinces in India ?"

The Hon'ble Sir William Marris replied :—

"(a) Government have seen the report of the speech.

(b) The Government of India's views on the question of soldiers' voting were communicated in paragraph 7 of the fourth despatch. Later on after consulting Local Governments they telegraphed on October 16th recommending a strict adherence to the property qualification for voters as most Local Governments, with the exception of the Central Provinces, preferred it. The views of the Punjab Government were received and communicated later. That Government, which was more concerned with the question than any other Government, proposed that retired commissioned officers as such should be enfranchised, but not retired non-commissioned officers.

(c) It is now proposed that in all provinces retired commissioned and non-commissioned officers should be entitled to vote. The Government of India believe that this is in accordance with the views of the Joint Committee."

The Hon'ble Mr. V. J. Patel asked :—

Residential qualifications.

11. "Did the Franchise Committee or Lord Selborne's Committee reject the proposals of any Local Government in favour of residential qualifications, and, if so, for what reasons ?"

The Hon'ble Sir William Marris replied :—

"The Hon'ble Member is referred to paragraph 29 of the report of the Franchise Committee and to paragraph (f) of the Joint Committee's report on clause 7 of the Bill. The Government of India are not in a position to add anything to the statements which the Committee themselves have given of their views on this matter."

[20TH FEBRUARY, 1920.] [*Mr. V. J. Patel; Sir William Marris; The Vice President.*]

The Hon'ble Mr. V. J. Patel :—“ May I ask a supplementary question, Sir? Is it a fact that the recommendation of the Bengal Government in favour of residential qualification has not been accepted either by the Southborough Committee or the Joint Committee? ”

The Hon'ble Sir William Marris :—“ I ask for notice of that. ”

The Vice-President :—“ The Hon'ble Member must give notice of that. ”

The Hon'ble Mr. V. J. Patel asked :—

12. “ (a) What action do Government propose to take to carry out the recommendation of Lord Selborne's Committee in favour of larger representation of the depressed classes in each Province? ” Larger representation of the depressed classes.

(b) In the rules to be made to give effect to this recommendation, do Government propose to provide that, as far as possible, no person who does not belong to the depressed classes shall be selected to represent them? ”

The Hon'ble Sir William Marris replied :—

“ (a) The Government of India have addressed all Local Governments in pursuance of the recommendation referred to. In Madras, where the representation previously proposed for the depressed classes was clearly inadequate, it is proposed, the Government of India understand, to raise the number of seats reserved for them from 2 to 7. In other provinces the Government of India will welcome some increase, if grounds for the same can be shown to exist.

(b) The Government of India do not, as at present advised, propose to limit by rule the discretion of the nominating authority in his selection of persons to represent the depressed classes. They have no doubt that, so far as possible, representatives will be nominated who are members of this section of the population. ”

The Hon'ble Mr. V. J. Patel asked :—

13. “ Have Government considered the desirability of requesting the High Courts of Calcutta and Bombay to throw open the Original Side to pleaders? ” Pleaders and the Original Side of the High Courts of Calcutta and Bombay.

The Hon'ble Sir William Vincent replied :—

“ The answer is in the negative. The matter is one entirely within the discretion of the Courts themselves. ”

The Hon'ble Mr. V. J. Patel asked :—

14. “ Will Government be pleased to say whether under the new Government of India Act the Governor General can, without the approval of his new Executive Council (including at least three Indian Members), on signature make a Bill, which either Chamber has failed to pass in the form recommended by him, into an Act of the Indian Legislature? ” Passing of a law under the new Act.

The Hon'ble Sir William Marris replied :—

“ The Hon'ble Member is referred to the terms of section 26 read with section 47 (2) of the Act. ”

The Hon'ble Mr. V. J. Patel asked :—

*15. “ (a) Has the attention of Government been drawn to the observations of Mr. Spoor regarding the securing of a wider franchise which appear at page 325 of the Official Report of the debate in the House of Commons of Wednesday, 3rd December, 1919? ” Extension of the franchise to India.

(b) Do Government propose to improve the proposals of the Franchise Committee as a result of the debate on them in the House of Commons? ”

[*Sir William Marris; Mr. V. J. Patel; Sir* [20th FEBRUARY, 1920.]
Gangadhar Chitnavis.]

The Hon'ble Sir William Marris replied :—

"(a) The Government of India have read the report of the speech of Mr. Spoor.

(b) The Joint Committee have recommended that an effort should be made to remedy, in part at least, the present disparity between the size of the electorates in the different provinces. In accordance with this recommendation steps are being taken to increase largely the electorates in the provinces of Madras and the Punjab."

The Hon'ble Mr. V. J. Patel asked :—

Budget
resolutions
under the
new Act.

16. "Will a non-official Member of the new Legislative Assembly be entitled, when the Annual Financial Statement is under consideration, to move a resolution recommending the increase of the expenditure provided in the Budget for any head?"

The Hon'ble Sir William Marris replied :—

"The Hon'ble Member is referred to section 25 (6) of the Act, which does not empower the Legislative Assembly to increase the amount referred to in any demand."

The Hon'ble Mr. V. J. Patel asked :—

Representa-
tion of the
Urban wage-
earning
class.

17. "(a) Will Government state what action they have taken or propose to take on the recommendation of Lord Selborne's Committee that an attempt should be made to secure better representation of the urban wage-earning class?

(b) Is it proposed to provide for the representation of the wage-earning class of the city of Ahmedabad under this recommendation?

(c) Do Government propose to call for the report of the Bombay Government on this question?"

The Hon'ble Sir William Marris replied :—

"The Government of India are anxious to give effect, wherever possible, to the recommendations of the Joint Committee. As the Hon'ble Member, however, will probably realise, the practical application of their recommendation regarding the representation of the wage-earners is attended with difficulties. It will involve the creation of a special franchise, and the preparation of a separate roll for which the materials available are scanty in the extreme. A large number of the wage-earners are not permanent residents of the centres where they seek employment; they come and go at uncertain intervals; and their earnings, which must necessarily form the basis of the roll, are not only hard to ascertain, but often subject to wide fluctuations. The Government of India have grave doubts, which are shared by the Local Governments concerned, as to whether it will prove possible completely to overcome these obstacles. But in deference to the views of the Joint Committee they have decided that the attempt must be made as regards the wage-earners in Bombay and Calcutta, the two cities in which this class is largest. They cannot ignore, however, the risk of a serious breakdown when the electoral machinery devised for the purpose is put to the test of the elections, and they therefore do not think that in present conditions and with the limited organisation at their disposal, it would be prudent to extend the experiment to other towns in which the problem is less urgent."

The Hon'ble Sir Gangadhar Chitnavis asked :—

Rise in
prices of
ghee and
butter.

18. "(a) Is it a fact that ghee and butter have for some time past been exported from India in large quantities by Government or on private account, and that they have gone up very high in price in Indian bazars?

(b) If so, what is the quantity that has been exported during the last three years, and how long are such exports likely to continue?"

[20. FEBRUARY, 1920.]

[Sir George Barnes; Mr. G. S. Khaparde; Sir William Vincent; Khan Bahadur Ebrahim Haroon Jaffer; Sir Arthur Anderson; Rai Sitamath Ray Bahadur.]

The Hon'ble Sir George Barnes replied :—

"The export of ghee and butter during the last three years have been as follows :—

Year.	Ghee.	Butter.
	lbs.	lbs.
1917-18	5,513,200	1,522,880
1918-19	4,399,852	690,143
1919-20	2,852,915	436,212
(For nine months ending December.)		

It is correct that prices have risen. The exports during the last two years, however, have been considerably below normal. I cannot undertake to prophesy the extent to which exports are likely to take place in the future."

The Hon'ble Mr. G. S. Khaparde asked :—

19. "Will Government lay on the table the correspondence relating to the grant of overseas allowance to European British officials?"

Overseas allowance.

The Hon'ble Sir William Vincent replied :—

"The Government of India are unable at present to place on the table the papers regarding the grant of overseas allowances. A further communication from the Secretary of State is awaited, and when the correspondence is complete, Government will consider whether they can publish it or not."

The Hon'ble Khan Bahadur Ebrahim Haroon Jaffer

asked :—

20. "(a) On what railways are waiting rooms for third-class lady passengers provided?"

Waiting rooms for third-class lady passengers.

(b) Do Government propose to ask the railways which do not provide such accommodation to supply this want on important railway stations?"

The Hon'ble Sir Arthur Anderson replied :—

"(a) Government are not in possession of detailed information as regards waiting rooms, but they understand that screened off accommodation in waiting sheds is provided in some cases.

(b) The matter is within the competence of railway companies and Government will bring the point to their notice."

The Hon'ble Rai Sita Nath Ray Bahadur asked :—

21. "(a) Is it a fact that on the 27th June, 1919, an up-country youth died at the Howrah railway station on account of overcrowding in a railway carriage and no doctor was available at the said station to render him medical help?"

Death of an up-country man at the Howrah Railway Station.

(b) Do Government propose to inquire who are responsible for allowing the carriage to be overcrowded at the starting station, and if the persons responsible have been punished?"

(c) Do Government propose to issue necessary instructions to prevent a recurrence of such overcrowding?"

The Hon'ble Sir Arthur Anderson replied :—

"The Railway Board are informed that at Howrah station on 26th June, 1919, an incoming passenger to Puri collapsed on the station platform. An ambulance was immediately sent for and the man was conveyed to Howrah hospital but expired on the way. His death is reported to have been due to heat stroke and heart-failure. There is no evidence to show that it resulted from overcrowding."

228 QUESTIONS AND ANSWERS; INDIAN SECURITIES BILL;
RESOLUTION *RE* AMALGAMATION OF THE ORIYA-SPEAK-
ING TRACTS.

[*Rai Sitnath Ray Bahadur; Sir Arthur Anderson; Mr. W. M. Hailey; Mr. Sachchidananda Sinha.*] [26TH FEBRUARY, 1920.]

The Hon'ble Rai Sitn Nath Ray Bahadur asked:—

Reserved
accommoda-
tion for
females on
railways.

22. (a) Has the attention of Government been drawn to two letters published in the *Amrita Bazar Patrika* of the 25th September, 1919, in which it was alleged that on the 19th September a European soldier entered a second-class lady's compartment in the 07 Up train, Eastern Bengal Railway, and declined to leave it when asked to do so?

(b) Has the matter been inquired into and, if so, what is the result of that inquiry?

(c) Do Government propose to take necessary steps to prevent males, whether European or Indian, from entering female compartments?"

The Hon'ble Sir Arthur Anderson replied:—

(a) and (b) It has been ascertained that on the 19th September, 1919, a soldier was noticed by passengers of a local train running between Calcutta and Dum Dum to be on the footboard of the Intermediate class female carriage. Some passengers pulled the communication cord and stopped the train. The soldier did not enter the female compartment. The matter was reported by the railway authorities to the Officer Commanding, Dum Dum, who stated that the man had returned to England.

(c) Section 119 of the Indian Railways Act, 1890, already makes provision for the punishment of the offence referred to."

INDIAN SECURITIES BILL.

11-19 A.M. **The Hon'ble Mr. W. M. Hailey:—**"Sir, I beg to present the Report of the Select Committee on the Bill to consolidate and amend the law relating to Government Securities."

RESOLUTION *RE* AMALGAMATION OF THE ORIYA-SPEAKING TRACTS.

11-20 A.M. **The Hon'ble Mr. Sachchidananda Sinha:—**"Sir, I beg to move the resolution which stands in my name that—

'This Council recommends to the Governor General in Council that a mixed Committee of non-officials and officials be appointed to formulate a scheme for the amalgamation of the Oriya-speaking tracts at present administered or controlled by the Governments of Madras, Bengal and the Central Provinces, with the existing Orissa Division of the province of Bihar and Orissa.'

"I may state, Sir, at the outset that I have placed this resolution before the Council in response to a demand made to me personally by the Utkal Conference, which is a representative gathering of the Oriya-speaking people, who inhabit various provinces of India. At the last session of that Conference a resolution was adopted by it requesting me and the Hon'ble the Raja Sahib of Kanika, who represents in this Council the Oriya-speaking people, to place this resolution before the Government, and it is in accordance with that wish that I have brought up this resolution. The Resolution is intended to ameliorate the condition of a large number of His Majesty's Indian subjects and, if I may say so, to relieve a long suffering race who, in this particular matter, have a just and genuine grievance. The Oriya-speaking population of India is roughly 15 millions. It has been now for a long time divided under different administrations, for historic or other

[20TH FEBRUARY, 1920.] [*Mr. Sachchidananda Sinha.*]

reasons. These scattered remnants of a great race have for a long series of years been trying to coalesce into one compact body. The Resolution I am submitting has a long history behind it as regards the efforts of the Oriya people to be brought under one administration. I need not, however, take the Council earlier than the letter from the late Sir Herbert Risley, issued by him, as Home Secretary to the Government of India, in the year 1903, in which the suggestion I am now making to the Council was made by the Government of India themselves. In that letter Sir Herbert Risley propounded the whole problem in most lucid terms and pointed out that the division of the Oriya-speaking people under various administrations was the cause of great anxiety and difficulty to the Government of India and the various Provincial Governments concerned. His exact words are as follows: 'The difficulties arising from the problem thus created have been for years a source of anxiety and trouble to the different provinces concerned' and later on he says:—

'The Government of Madras have repeatedly complained of the anxieties imposed upon their administration, by the great diversity of languages (Oriya, Tamil, Telugu, Malayalam, and Canarese) with which Madras Civilians are called upon to cope and which render the transfer of officers from one part of the presidency to another a matter in any case of great difficulty and often of positive detriment to the public interest.'

The proposal made by Sir Herbert Risley on behalf of the Government of India was that the Oriya-speaking tracts should be amalgamated and brought under one administration. I find in a book called 'The Oriya Movement'—which has been recently published by some patriotic Oriya gentlemen, and in which the history of the movement is recorded at great length—that the proposal of Sir Herbert Risley evoked great interest. I find that my esteemed friend the Hon'ble Rai Sita Nath Ray Bahadur, as Secretary of the Bengal National Chamber of Commerce, endorsed the views of the Government, and he said that the proposal, if accepted, would conduce to much good. Similarly, I find that Mr. Parsons, the Secretary of the Bengal Chamber of Commerce (and this may interest the Hon'ble Mr. Crum) said the same thing. He said that 'the Committee do not anticipate that any such change would prejudicially affect mercantile interests'. The Bengal Chamber of Commerce thus supported the proposal. Unfortunately the Madras Government at that time under Lord Amphill, took up, for reasons which I have never been able to understand, a hostile attitude towards the proposal. When the matter came up to the Government of India for final disposal, Lord Curzon had gone away. He had left the country and Lord Amphill was acting as the Governor General for the time being. It is not surprising that the proposal did not find favour with Lord Amphill and it was vetoed by him. But although it was vetoed by the Government of Lord Amphill the Oriya people have kept up since a constant agitation, and they have never tired of bringing this matter to the notice of the Government. When Mr. Montagu came out here in 1917 the representatives of the Oriya race went before him, made a submission on this point and put their case as emphatically as they could, with the result that I find that in the Joint Report on Constitutional Reforms some reference is made to the subject in paragraph 246. It is said therein that 'we are bound to indicate our own clear opinion that wherever such re-distributions are necessary and can be effected by a process of consent the attempt to do so should be made.' So far as the 'process of consent' goes, there is not the least doubt that any inquiry made, whether by means of a Committee or otherwise, will satisfy the Hon'ble the Home Member that the Oriya people are in deadly earnest about this matter. So far as the people in Bihar are concerned; who are under the same administration as the people of Orissa, I may state that no politically-minded Biharee has any objection either to the amalgamation of the Oriyas under one administration or if need be, to the separation of the Oriya tracts from Bihar and their formation into a separate province. I may here explain that I have been asked by some members why I advocate in my resolution the amalgamation of the Oriya-speaking tracts under the Bihar and Orissa Government rather than their formation into a separate province,

[*Mr. Sachchidananda Sinha.*] [20TH FEBRUARY, 1920.]

The reason is that of the two schemes the one I am proposing is perhaps the more feasible and the more likely to be accepted by the Government at present. The Hon'ble the Home Member seems to be in the mood of believing that the Government as now constituted are merely marking time, and that everything is to be done by the Government which will come in under the Reforms Scheme. It is, therefore, that I think that my proposal which is that these Oriya tracts should be brought under one administration of Bihar and Orissa is a more simple proposition than that of a separate Government. It is for this reason that I have put my Resolution in this form. If a Committee be appointed and the report be favourable to the proposal, then under section 16 of the Government of India Acts of 1915-16, the Governor General in Council can carry out the measure without any reference to the Secretary of State or the Crown. Under my proposal a whole district has not to be transferred, but only portions of certain districts. A reference to the Crown is necessary only when the Governor General in Council has got to transfer a whole district from one province to another. The most important tract outside Bihar and Orissa is Ganjam, a district in the Madras Presidency.

"Excepting one taluka (as a sub-district is called in the Madras Presidency, corresponding to a 'sub-division' in Bengal and Bihar) of it, called Chicacole, the rest of the Ganjam district is, broadly speaking, inhabited by the Oriyas. Similarly, in the Central Provinces (since the transfer in 1905 of the Sambalpur district to the Orissa division) there now remain five zemindaries, as they are called, but which are parts of British India, in the districts of Bilaspur and Raipur; and there is also a group of five Indian States in that province. In Bengal, I understand that a small portion in the Midnapore district, called the Cantal sub-division, and some other Thanas have got an Oriya-speaking population. I am not giving the Council exact figures and details, I am only stating the case generally of the Oriya people. These are the principal tracts outside Bihar and Orissa on the three sides of the Orissa division, which contain an Oriya population, and the case is that on the ground of convenience of administration, and also on linguistic as well as sentimental grounds, all these tracts should be brought under one Government—that of Bihar and Orissa—for the time being. Speaking on this subject, Sir, I may claim to have some personal knowledge, for when the province of Bihar and Orissa was formed I went myself, at the request of Lord Hardinge, to the Orissa division and even to Ganjam to talk over matters with the representatives of the people there, and I have seen with my own eyes the deplorable condition of the Oriyas in the Ganjam district in the Madras Presidency. I do not mean to say that they are worse off materially than the other populations in the district, I am not talking of their economic condition, but I do say that, detached as they are from the parent body, a small community living in the midst of a large non-Oriya population, their condition is certainly far from happy or enviable. Mr. Stanley Rice, a member of the Indian Civil Service, wrote many years back a very interesting book entitled 'Occasional Essays on South Indian Life', and in it there is a chapter on the Oriyas in Ganjam. I find this is what he says of them:—

'Orissa proper lies within the province of Bengal, and the people of Ganjam suffer in that they have been separated from their brethren; they are foundling children, alien from the more favoured, because better recognised Dravidian races; alien even in the origin to which their ancestry has been traced.'

Again:—

'The Oriya of Ganjam labours under two disadvantages. He is very far from Madras, and he inhabits only part of a district. He speaks a language which is spoken in Bengal, but not in any part of the Madras Presidency save Ganjam.'

"Now, similar difficulties are experienced daily by the Oriyas, who are found in the Central Provinces or in the Midnapore district of Bengal. The Oriyas themselves place their grievance on various other grounds. But I need not expatiate on them, because the Hon'ble the Raja Sahib of Kanika, who will speak after me as a representative of the Oriya community, will tell the Council better than I can what these grievances are. I am quite sure

[20th FEBRUARY, 1920.] [Mr. Sachchidananda Sinha; Raja of Kanika.]

that the Council fully realise that a small population scattered under various administrations and always in a minority in each province can never make itself effectively heard on any important question. Wherever they are, they are always bound to remain at present a hopeless minority. Even in Bihar and Orissa, where they are much more fully represented than in the Madras Presidency or the Central Provinces or Bengal, their numbers are only four or five in a Council of 25 non-official members. Well, this state of affairs can be but fully remedied when, as I hope before long, the Oriya people will get a self-contained province of their own, but that is a problem for time to come, which, I believe, the Hon'ble the Home Member will say, must be tackled by the Reformed Councils when they come into existence. But I do think that there is absolutely no reason why the Government should not be pleased to constitute even now a small committee to investigate the matter and to formulate a scheme just to transfer these fringe areas and the Oriya-speaking people in them from Madras, the Central Provinces and Bengal to the one administration of Bihar and Orissa. There will be a palpable advantage for the time being in bringing together all these scattered units under one administration. That being secured, the chances of their getting a separate self-contained province of their own will certainly be facilitated in due course. I do not think, therefore, that I need take up the time of this Council any more, and I leave it to my Hon'ble friend the Raja Sahib of Kanika to speak further on this important subject."

The Hon'ble Raja of Kanika:—"Sir, this resolution, so ably moved by my friend the Hon'ble Mr. Sinha, has my most cordial and emphatic support. This is a question, which concerns the very vital needs and aspirations of about eleven millions of His Majesty's loyal and devoted subjects. And, more than this, this is a question which has been agitating the minds of those eleven millions for years past, and, so far as present indications go, it will continue to do so until and unless their inmost national aspirations are finally satisfied. 'Unsettled questions,' it has been said, 'have no pity for the repose of nations' and Orissa is no exception to the rule. Orissa knows no peace and wants no repose until the problem, which the present resolution attempts to tackle, is satisfactorily solved.

"Sir, the problem of Orissa is simply this; the real Orissa is something greater than the present Orissa division. The geographical demarcation is wholly misleading. Large tracts of land, with a predominantly Oriya population, now lie outside our geographical boundary and these people—more than two millions in number—most naturally and earnestly want to be united with the parent country. This is an aspiration which it will be the duty of the Government and, may I add, their privilege to satisfy. Orissa is a great country, with a very glorious past. Her history and her literature have been the delight of millions of people for centuries, her architecture has been one of the greatest glories of India. Her glorious civilisation is one of which any nation can be proud. More than two millions of people have been ruthlessly parted from those who are bound to them by the closest ties of blood, of race and of language. Common traditions, common ends and common aspirations bind them together. A common language and a common literature is their common legacy. The Oriya-speaking tracts now lie scattered in Bihar, Madras, Bengal and the Central Provinces.

"We want that all the Oriya-speaking tracts should be united to Orissa. This demand is not a new one. For a long time past, public opinion in Orissa and in these outlying tracts has made itself heard in no uncertain manner on this question. The Utkal Union Conference, year after year, has ventilated the public opinion on this all-important matter. The Oriya population of Ganjam have sent numerous memorials and petitions to Government, both Imperial and Local, praying for this union. An Oriya memorial to Lord Amphill in 1905, speaks bitterly about the position of the Oriyas, and in 1909 the Oriya Samaj of Ganjam waited on Sir Arthur Lawley and prayed for union with Orissa.

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"So far as the Government is concerned, as early as 1868, Sir Stafford North-Cote, Secretary of State for India realised the necessity of bringing Orissa under a separate administration on account of the grievous failure of the Government of Bengal to grapple with the great famine. Though nothing came out of it at that time, the matter again came to the attention of the Government in 1895, at the instance of Mr. Commissioner Cooke, and again in 1908, when the Government of India in its famous letter—known as the Risley letter—actually proposed to unite the whole of the Oriya-speaking peoples both hill and plain under the administration of Bengal. The public reception of this proposal was very encouraging, except that the Government of Madras under Lord Amthill opposed the transfer of some of the Madras tracts under the pressure of Telugu agitation. When, however, the whole matter came back to the Government of India for a decision, the Telugus were extremely lucky, because just at that time Lord Curzon had gone home on leave and it so happened that Lord Amthill officiated for him. It thus came about that Lord Amthill, as Viceroy, was called upon to judge in a matter in which, as Governor of Madras, he had given his own opinions very strongly himself. The result was a foregone conclusion. The transfer of Ganjam and Vizagapalam Agency tracts was negatived, and only Sambalpur was transferred to Orissa.

"The next definite stage was reached in 1911 when the famous Partition of Bengal was undone. In the Despatch of 25th August 1911, the Government of India undertook to carry out such administrative changes and re-distribution of boundaries as might seem necessary. But this was never done, and Orissa remained as she was.

"Then, on the 6th February 1918, a resolution was moved in this Council by the Hon'ble Mr. Sarma urging the re-distribution of provinces on a linguistic basis. Mr. Sarma laid down three conditions of any such re-distribution, namely, that the people should desire such a change, that they should be sufficiently numerous, and that they should speak the same language. Although he pointed out that all the three conditions need not co-exist at the same time, yet it will be seen that in the case of Orissa all the three conditions operate. Mr. Sarma himself conceded the justice of the claims of Orissa. The opposition to the Resolution, however, came more on account of expediency than on principle. And the Resolution was in the end negatived.

"The next stage was the recommendation on this and similar subjects contained in the joint report on constitutional questions. The representatives of Orissa including the Oriya members of the Imperial Madras and Bihar and Orissa Legislative Councils had presented a long address to His Excellency the Viceroy and Mr. Montagu praying for a union with the outlying parts. The joint report conceded the propriety of distributing areas on the basis of language, but it suggested that such re-distribution on uniform linguistic or racial tests should be made after the Reforms were carried into effect, and that the creation of the Sub-provinces of Berar and Orissa at least might be taken in hand on an early date. On the 7th March, last year when I drew the attention of the Government to it by a question in this Council, I was informed that the matter will not be taken in hand except by the Local Government after the Reforms. This, Sir, may be logical but not fair to us, for after the Reforms, we are not much better off. We are as we were, in a hopeless minority in Bihar, Bengal, Madras and the Central Provinces, and what chance is there that we would get the support that we deserve? In this matter at least, the Reforms do not help us at all, and that is why we ask the Government of India to give us a lead. On the contrary, the Reforms will greatly add to the strength of the other homogeneous peoples in these provinces, which will only result in their keeping us in a still more backward position. Unless the Oriyas are also made a homogeneous and united people they cannot possibly get the same benefit from the Reforms as these other people. Rather, their position will be very much weaker than even now. If the matter is left to be decided by the reformed local Councils of each province, it will practically mean a deliberate denial of justice to us. As Mr. Curtis in his evidence before the Joint Committee pointed out. The

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dictum . . . to the effect that re-distribution of provincial areas should only be effected 'by process of consent' is a case in point. From whom is consent required? The question is as vital to the whole issue as the question whether the Poles in Silesia can be re-united to their countrymen without the consent of the whole of Prussia.' Further, as this matter affects more than one province, I think it is only proper that the question should be taken up here in the Imperial Council.

"The evils of the dismemberment of Orissa are so great, and are so many, that I am sure this Council will recognise that the earliest opportunity should be taken to solve the problem.

"Sir, this dismemberment has divided the Oriya peoples into several provinces thus impairing their collective strength. In each province we are left to live with much stronger and more virile races with the result that in an unequal competition with such peoples the Oriyas always suffer. Since the arrangement is lasting too long, and there is no desire on the part of the Government to alter it immediately, it is necessary to speak out. How long is this unequal competition going to last? How long must we be left to the tender mercies of stronger peoples?

"In consequence of the above, Oriya national interests are always sacrificed involving the loss of their solidarity as a distinct community, and the loss of their social, ethnological and political identity. As the Durbar Despatch of 1911 pointed out 'Orissa has long felt uneasiness at a possible loss of identity as a distinct community'. The national characteristics and the national aspirations of Oriyas are always sacrificed to those of the predominant races. And, Sir, how could it be otherwise? This unequal harnessing will always have the most disastrous results for the weaker part. The weaker part is relegated to a comparative backwardness, all healthy growth is arrested, and its distinct cultural integrity, even its national psychology and habits of life, are transformed so that very little of their identity is left in the process of time.

"Then, again, the Oriyas are threatened with the loss of their language and therefore of their literature in those tracts. In those outlying tracts, Oriya is sacrificed either as a medium of instruction in schools or of administration in Courts, with the result that very great inconvenience is caused to millions of Oriya people. This persecution of our language is one of our great national calamities.

"Again, this dismemberment results in serious administrative difficulties. The Orissa famine of 1865 with more than a million deaths gave the first warning, but this was not the last. My friend has already quoted from the famous Risley letter of 1903. I may just as well do the same. It says thus:—

"The difficulties arising from the Oriya problem . . . has been for years a source of anxiety and trouble to the different provinces concerned . . . The Government of Madras have repeatedly complained of the anxieties imposed upon the administration by the great diversity of languages with which Madras Civilians are called upon to cope . . . Nowhere are these drawbacks more conspicuous than among the Oriya-speaking people distributed . . . between three (now four) administrations and a source of constant anxiety to each . . . The Oriya-speaking group, in any case, emerges as a distinct and unmistakable factor, with an identity and interests of its own."

"This anomalous arrangement results in the want of a close touch between the rulers and the ruled. To the Oriyas the centres of administration, namely, Nagpur and Madras, are too far off and communication for them is by no means easy and quick. Under such a system it is idle to expect any efficiency in the administration.

"Further, the present arrangement constitutes a grave political danger to the Oriyas. The Oriyas, as at present constituted, are in a minority in each province, and thus they are most inadequately represented, not only in the Councils, but also in every public or semi-public body in the country.

"As a consequence of the above, the Oriyas suffer from a loss of position, power, privilege and prestige. The advanced peoples develop vested interests

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and all high posts of trust and responsibility are monopolised by them. In matters of administration, they form an intermediate ruling race and being irresponsive and irresponsible, they most effectively keep the rulers and the ruled apart. Oriya interests thus fail to receive sufficient attention from each Local Government, and the Oriyas are not properly represented in the public services. Their education suffers through a lack of uniformity as different systems are pursued in different provinces according to the different needs of the stronger races in each province. I can conceive, Sir, of no greater instrument of denationalisation than this frontal attack on our language, our literature and on the uniformity of our education. I will now, Sir, turn to the advantages which will follow the unification of the Oriya-speaking tracts under one administration.

"Sir, such an arrangement will be a very good preparation for the New India, which His Excellency with Mr. Montagu want to bring about. Their 'conception of the eventual future of India is a sisterhood of States, self-governing in all matters of purely local or provincial interests, in some cases corresponding to existing provinces, in others perhaps modified in area according to the character and economic interests of their people'. You can rest assured that you will take India a long—a very long way—towards this ideal by making a real and earnest attempt to make Orissa what she really is and what she really ought to be. Orissa is really greater than her present geography. The dream of a federal India is no doubt dazzling though still far distant, but before we attempt to answer the question—shall India's dreams come true?—we ought to try honestly to build all the steps necessary for that glorious realisation. The union of Orissa is and must always be one long step towards it.

"Then, again, it will yet save the language and literature of the Oriya people from the shackles of an arrested growth and even of stagnation. The literature of a people is its finest and greatest legacy, and that priceless asset of the Oriya people is threatened by the co-existence of other vehicles of human thought and human speech.

"It will mitigate, and to some extent even arrest, the disruptive social tendencies now working in Orissa by giving her a national life of her own, and, lastly, it will prevent the economic and industrial backwardness of the area by greater attention being given to it. Increased railway facilities, development of ports, better irrigation and embankments, a more uniform policy of economic and industrial development—all these and many others will surely follow.

"Sir, I have done. The vital needs, the inmost aspiration of eleven millions of people are at stake. A Bureaucracy is not always the incarnation of wisdom and the partition of Orissa is one of the gravest blunders which the Bureaucracy has allowed to continue. We have, in our days, seen the partition of Bengal, we have seen the unparalleled conflagration it brought about in Bengal. We have seen it described at one time as the greatest blunder of British rule in India, and at another time by a Secretary of State as a settled fact which could not be re-opened. And yet in this remarkable trial of strength between the people and the Bureaucracy, the people won. We Sir, in Orissa, draw our lessons and our inspiration from this mighty episode of Indian history. We are determined to go on until we win. The duration of our fight must be the limit of our faith. Be it repeated failures and endless repulses will not make us quit. We have no desire to let a gramophone Government go on refusing to satisfy our national aspirations indefinitely. The Resolution commits the Government to nothing. Even Mr. Montagu in 1912 in the House of Commons said, that the question might be re-considered at any time if accumulated evidence is forthcoming. The Resolution simply asks for a detailed inquiry to see if such evidence is available now—an inquiry which, let us hope, will produce more light than heat. That is a modest request which I earnestly hope this Council will grant."

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chidananda Sinha.]

The Hon'ble Haji Chaudhri Muhammad Ismail Khan:— 11-52 A.M.
“Sir, it is with some hesitation that I rise to accord my support to the Resolution which has been moved by my Hon'ble friend. Being in close touch with the people whom I have the honour to represent in this Council I am fully aware of the thousand and one inconveniences that the Oriya-speaking people feel in being placed under four different administrations, and I hope every member of this Council has sympathy with their desire for amalgamation under one province. And as long as it is not found possible to create a separate province for the Oriya-speaking people, the only course left open to Government is to place them all in the existing Orissa Division of the province of Bihar and Orissa. My friend Mr. Sarma has always advocated that provinces should be created on the linguistic basis and, I am sure, my Oriya friends, when they demand a separate province of their own, will find in him a ready champion. But that is not yet. And till that day arrives the only means of removing their inconveniences will be to amalgamate them under the existing province of Bihar and Orissa.

“I am aware that the Joint Committee in their Report observe. ‘They do not think that any change in the boundaries of a province should be made without due consideration of the views of the Legislative Council of the province.’ And it may, under the circumstances, be necessary to refer the matter to four different Legislative Councils. But I am sure the present Council is competent to express an opinion on the subject, and that opinion will uphold the claims of the Oriya-speaking people under the Bihar and Orissa Government for the present.”

The Hon'ble Mr. Surendranath Banerjea:—“Sir, I rise to support the Resolution. I only wish it had been a little wider than it is in its phraseology and in its scope. My Hon'ble friend Mr. Sinha recommends that the Oriya-speaking population scattered all over India should be brought under one administration, and that administration should be the Government of Bihar. He recommends that a Committee be appointed to consider a scheme of this kind. I think the scope of the operations of the Committee might be enlarged. It seems to me that they should have discretion given to them not only to consider a scheme of amalgamation with Bihar, but also a scheme for the formation of the Oriya-speaking populations now scattered all over India under an administration of their own. I think that represents the definite, considered aspiration of the Oriya-speaking population in India. This is only a preliminary stage. They want to be brought under one administration to begin with, which will eventually lead to the formation of a separate administration of their own in which the Oriya element will predominate. . . .” 11-54 A.M.

The Hon'ble Mr. Sachchidananda Sinha:—“Yes.”

The Hon'ble Mr. Surendranath Banerjea:—“That, I take to be the definite aim and object of the Oriya-speaking population, and with that feeling, Sir, I am in the deepest sympathy. I am sure after listening to the very eloquent—I was going to use the word ‘pathetic’—appeal of the Hon'ble the Raja of Kanika, there will be a strong feeling of sympathy on the part of the non-official members of this Council with that appeal and with this Resolution which embodies it. My friend has referred to the fact that the Oriyas are in a minority all over India; they are in a minority in Bengal, in Bihar, in the Central Provinces and in Madras. What does that mean? It implies that in all matters affecting their well-being the representatives of the Oriya-speaking population have no determining voice, and the evil is likely to be aggravated when the Reform Act comes into operation. Is there any prospect of any representative of the Oriya-speaking population becoming a Minister? I do not think there is. One of them may, but on the sufferance of the representatives of the people

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of Bihar. That seems to me to be an intolerable situation, inconsistent with the self-respect of a growing and advancing community. Sir, if you read the despatch of the 25th of August 1911, which announced the modification of the Partition of Bengal, you will find one argument urged by the Government itself which I now appeal to the Government to apply to the present case. They said—I am not able to quote the exact words, but I am giving the substance of their argument—that it was an intolerable situation for the Bengalee Hindus in consequence of the Partition of Bengal, to find themselves constantly in a minority in the new as well as in the old Province, and they urged that as one of the strongest reasons for the modification of the Partition of Bengal. Does not that reason apply to the present case? I do think this Council and the Government ought to come to the rescue of the Oriya-speaking population. I do hope that my Hon'ble friend the Home Member will see his way to accept this Resolution or at any rate to encourage the movement which it embodies. I do hope he will be able to give us an expression of the sympathy of the Government with the movement.

“Sir, there are other questions of partition which will have to be grappled with sooner or later. If I may once again call attention to the despatch of the 25th of August 1911, I may remind my Hon'ble friend the Home Member of the concluding paragraph of that despatch. I have not looked it up, but I think I am right in giving the substance of it. The concluding passage of the despatch says that the arrangements for the re-distribution of territory made under it are more or less provisional, and that a final arrangement has to be arrived at later on, after consultation with the parties concerned. That was said on the 25th of August 1911. This is the 20th of February in the year of Grace 1920. That final arrangement has not yet been made; that final arrangement has yet to be made; that final arrangement must soon be made, and I hope that, when it is made, the claims of the Oriya-speaking population to an administration of their own will be considered.

“Sir, we are entering upon a new stage in the history of our country, a stage of self-development. Are the Oriya-speaking population alone to be left behind? Are all the other peoples of India to march ahead of them? I am sure this is a proposition which the Government will repudiate with indignation. We must take them with us. We cannot take them with us unless and until they form an administration of their own in which their voice will be the determining factor in questions affecting their welfare and their progress. I say therefore, that in the highest interests of the Oriya-speaking population and for the definite realisation of the policy which has now been declared as the policy of the British Government, it is a matter of the first importance that this Resolution should be accepted, at any rate the Government should show their sympathy with the aspirations which it embodies.

“Sir, I have referred to the question of territorial re-distribution in connection with other provinces. In my own province that question is bound to crop up. My friend Mr. Chanda will, I am sure, speak about the necessity of re-incorporating Sylhet into Bengal. I may also add that Maubhum and Goalpara ought to form part of Bengal. I think my friend, the Hon'ble Mr. Sinha, will remember that in the year 1912 he and some of his Bahari friends called at the 'Bengalee' Office and wrote a memorandum in which they distinctly declared that Maubhum should form a part of Bengal. I think I am right, Sir, in making that statement. I know it is, because my memory does not fail me in these matters. Well, there we have that outstanding question of Maubhum awaiting solution. Further Goalpara, which is a Bengali-speaking district, should be brought back into Bengal. Then, my friend Mr. Sarma has his grievance in this connection; the Tamil-speaking population and the Telugu-speaking people should be separated and should have different governments, the Andhra districts ought to be separated from the southern Madras. All these questions are awaiting solution. There is the Reform Act under which the Government is bound to consider them after an expression of opinion from the Legislative Council; that is under section 15 of the Act. Therefore

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you cannot burke this question; it is there. The resolution suggests a preliminary step which, I think, we should take. I know these controversies are very irritating. The controversy regarding the Partition of Bengal is now a matter of ancient history, but still it haunts the imagination of my Hon'ble friend over there, the Hon'ble Nawab Nawab Ali Chaudhury, disturbs his mighty dreams, frightens him out of his wits, and in his wild ravings he thinks fit to call the Calcutta politicians a body of unscrupulous and unfair agitators. Well, these are the lingering remnants of controversies which are past and gone, but we must not be frightened in the same way as my Hon'ble friend is, from time to time. Let us take courage in both hands, face the situation, grapple with this problem and solve it. It is worthy of the Government, worthy of my Hon'ble friend, the Home Member, and I am sure he will approach it with that broad and sympathetic mind which he often displays in dealing with large public questions. I think I am right in ascribing to him this attitude, and I hope he will justify it in this connection. I trust, therefore, that the resolution will be accepted, or at any rate an encouraging reply will be given to it by the Hon'ble the Home Member."

The Hon'ble Sir William Vincent:—"Sir, it is always a 12.3 P.M. matter of great regret to me when I am unable to accept a resolution coming from the Hon'ble Mr. Sinha, a member who represents a province in which I have served, and my regret is the greater on this occasion, because I am informed, and, I believe, that there is a very great feeling in the division of Orissa on this question and indeed among Oriya generally; and I think all of us who have been associated even in a small degree with the Local Government of Bihar have very great sympathy indeed with the Oriyas in their aspirations to be united. I would not also have this Council for one moment think that we are not alive to the disadvantages under which Oriyas suffer at present. I wish to make it clear therefore that the Government of India is in no sense opposed to an examination of this question. But it is an essential feature of the scheme of Reforms that territorial re-distributions should be postponed until the Reformed Councils come into being. May I read a passage from the very same paragraph of the Montagu-Chelmsford Report from which Mr. Sinha has cited?

'We believe emphatically that re-distribution of provincial areas cannot be imposed upon the people by official action, and that such a process ought in any case to follow and neither to precede nor accompany constitutional reform. But we are bound to indicate our own clear opinion that where such re-distributions are necessary and capable of being effected by process of consent, an attempt to do so should be made; and therefore we desire that it should be recognised as one of the earliest duties incumbent upon all the Provincial Governments. In Orissa and Berar, at all events, it seems to us that the possibility of instituting sub-provinces need not be excluded from consideration at a very early date.'

"I should now like to refer to the opinion of the Joint Committee on this matter. They say:—

'The Committee have two observations to make as to the working of clause 15. On the one hand they do not think that any change in the boundaries of provinces should be made without due consideration of the views of the Legislative Council of that province.'

That obviously refers to the reformed Legislative Councils.

'On the other, they are of opinion that any clear request made by a majority of the members of a Legislative Council representing distinctive racial or linguistic territorial unit for its constitution as a sub-province should be taken as a *prima facie* case, on the strength of which a committee of inquiry might be appointed by the Secretary of State, and that it should not be a bar to the appointment of such a commission that the majority of the Legislative Council of the province in question is opposed to the request of the minority.'

"I draw particular attention to the last portion because it has been suggested that in the Reformed Councils the Oriyas will still form a minority in all the provinces in which they reside, and therefore they will not have an opportunity of making their position known or pressing their views. The position at present is this, that we have, beyond what the Hon'ble Mr. Sinha and the Hon'ble Raja have said, no expression of opinion from the Local

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Government or of the people concerned on the re-distribution of territory. I do not know, for instance, how far the people of the portion of Midnapore which it is proposed to separate from Bengal wish to be joined to the Province of Bihar and Orissa; perhaps my Hon'ble friend Mr. Banerjea, who represents the Province of Bengal here has some information. I do not know how the people of that portion of the Central Provinces which it is proposed again to unite to the Province of Bihar and Orissa view this question; nor have we really any adequate information as to the views of the residents in that part of Ganjam which it is proposed to remove from a province with which they have been associated for many years. It may well be that they desire that this area should be joined; but these are points on which we have no information. In any case, I would ask Council to remember what was put very clearly both by the Hon'ble Sir Gangadhar Chitnavis and the Hon'ble Mr. Sastri on a somewhat similar resolution moved by Mr. Sarma in regard to a community in Southern Madras when they pointed out very lucidly that the linguistic test is not the sole one in this matter. Political, historical and commercial connections have also to be remembered. In 1902, when Lord Curzon proposed to unite the whole of the Oriya-speaking tracts into one province—I have forgotten whether he intended to unite it with Bengal or make it a separate province). . .

The Hon'ble Mr. Surendra Nath Banerjea:—"Unite it with Bengal."

The Hon'ble Sir William Vincent:—"Papers were forwarded to the different authorities concerned and there was a considerable volume of opposition to the proposal. I quite admit that a great deal of that opposition was official. But I find also that the local bodies in the Ganjam district were opposed to it. I do not for a moment suggest that they would necessarily be opposed to it now. Similarly, opinion in the portions of the Central Provinces affected by the proposal was very varied then. The Feudatory Chiefs were opposed to the change that was then under consideration, and the Local Governments were definitely against the suggested re-distribution. It was in deference to these opinions that the proposals were finally abandoned. Similarly, I think Hon'ble Members will remember that when Mr. Sarma produced what appeared on paper to be a very reasonable Resolution a couple of years ago regarding a re-distribution of certain areas in Madras, opinions were very divided as to the advisability of making a change. I should like, if I might, to cite one opinion because it appears to me to be of exceptional value. It is an opinion by Sir Gangadhar Chitnavis. He said:—

'My humble experience has been against such territorial re-distribution. These re-distributions of provinces, as previous experience has shown, are not very often popular with the people and land the Government in difficulty. The general tendency seems to be to remain attached to the administration or the province under which they have long remained and with which they seem to grow in love on account of long association.'

"As illustrating the danger of embarking on such a policy as is now proposed, I will also draw attention to the speech of the Hon'ble Mr. Banerjea on this resolution when he immediately proposed the addition of Goalpara, Manbhum and Sylhet to Bengal. Council will see the endless vista of disputes and contentions once these questions of re-distribution of territory are re-opened, and I put it to the Council that this is a point of some importance . . .

The Hon'ble Mr. Surendra Nath Banerjea:—"I simply pointed out that these were questions that await solution."

The Hon'ble Sir William Vincent:—"May I fortify this argument by quoting from what the Hon'ble Member said on Mr. Sarma's Resolution:—

'What I say is that as soon as you start an inquiry of this kind in any particular area that would constitute the signal for strife, for conflict, for controversy, for agitation, for

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bitterness. I ask my friend is he prepared to disturb the prospect of responsible government that was opening up for us by the weird spectre of re-distribution of territory? We know what it is in Bengal. We know what fierce, what bitter and angry passions were evoked. Men lost their heads, they could think of nothing else, they could dream of nothing else, they could speak of nothing else. Would he like an agitation of that kind to wreck the fair prospect of self-government? I appeal to him most earnestly to withdraw the motion. Let responsible government be established, I hope it will be within a measurable distance of time, and then it will be time enough for those responsible governments to take up and decide matters of this kind in a way that will be satisfactory to all parties concerned, because they will control public opinion, they will know what public sentiment is, and they will know that their positions of responsibility, of trust and power will depend on the volume of public opinion.

The Hon'ble Mr. Surendra Nath Banerjea:—"May I rise to offer a word of explanation. I think my Hon'ble friend has overlooked those words"

The Vice-President:—"The Hon'ble Member has already spoken."

The Hon'ble Mr. Surendra Nath Banerjea:—"I am asking for your permission Sir, I do not often get up. I should like to offer an explanation with regard to the statement just read which will bear a completely different interpretation. If you wish me to sit down I shall do so at once."

The Vice-President:—"I must call attention to the rules. If the Hon'ble Member desires to make a personal explanation I have no doubt the Hon'ble Sir William Vincent will give way. But I must ask the Hon'ble Member to restrict his observations to a personal explanation."

The Hon'ble Mr. Surendra Nath Banerjea:—"It is only a personal explanation. In the first place this is a re-distribution by consent. Therefore trouble will not take place. In the second place, responsible government has been established, therefore the controversy and the bitterness and the conflict I anticipated then must now disappear. We have got responsible government and this is to be partition or re-distribution by consent. Therefore the two elements which are at the bottom of these observations are non-existent. Therefore, may I say that the quotation of the Hon'ble Sir William Vincent is somewhat irrelevant."

The Hon'ble Sir William Vincent:—"I am prepared to leave it to the Council to decide whether the quotation was relevant or not. At any rate it has sufficed to elicit a somewhat laboured explanation from the Hon'ble Member."

(The Hon'ble Mr. Banerjea here interjected a remark while seated, which did not reach the Reporter.)

The Hon'ble Sir William Vincent:—"Did I hear the Hon'ble Member say that he has changed his mind? If so, that is a perfectly reasonable and justifiable position."

"I shall now turn to a more practical aspect of this resolution. I am sure the Hon'ble mover realises that I have every sympathy with his desire in this matter, but I feel that the Government of India is precluded by the recommendation in the report from which I have cited and by its own decisions reached in this matter on former occasions from appointing the sub-committee suggested. I am quite prepared however, if I can secure the sanction of His Excellency in Council to this course, to have a full investigation of the facts, to ascertain the views of the Local Governments and prepare such materials for the use of the new Governments as may assist them in arriving at a just decision in this matter."

[*Rao Bahadur B. N. Sarma.*] [20TH FEBRUARY, 1920.]

12-19 P. M.

The Hon'ble Rao Bahadur B. N. Sarma :—“ Sir, if I speak now after the Hon'ble Sir William Vincent has explained the position of Government it is because I feel that the future safety and well-being of the Oriya-speaking people would consist in their having in time a province of their own and in their not being included in Bihar and Orissa. I believe that until lately that was the opinion of the vast majority of the Oriya-speaking people both throughout Orissa and in the Ganjam district. I will refer to a Resolution passed by the Utkal Union Conference specially convened for the purpose of discussing the constitutional reforms of Mr. Montagu and Lord Chelmsford. Paragraph 2 of the Resolution runs :—

‘ Believing as it does in the sympathetic recognition of the special claims of the Oriyas for a separate administration as evidenced in the illustrious author's scheme in their proposal for a sub-province for Orissa, this Conference desire to place on record its conviction that unless a separate province under a Governor in Council and a Legislative Assembly with an elected non-official majority be given to the Oriya-speaking tracts, a proper solution of the question cannot be satisfactorily reached and the legitimate aspirations of the people concerned cannot be fulfilled.’

“ Then Sir, the book on the Oriya movement to which my learned friend Mr. Sinha has referred complains bitterly of the proposals of the Bihar Government with regard to the representation of the Oriyas in the Council. It says that the provision of ten is utterly inadequate and unsatisfactory, and that the minimum should be five of the elective seats, and the question is asked ‘ This apparently is the ultimate reward of joining Orissa with Bihar without its consent.’ I need not read further from this book for the purpose of showing that it cannot be said that the Oriya-speaking people of Orissa, Ganjam, Vizagapatam and other places are unanimously of opinion that their interests would be served by a union with Bihar. The Hon'ble Mr. Sinha himself has stated that personally he would not have the slightest objection to the formation of a separate province for these people, but he brought this in only as a preliminary step. If he had asked for a separate province for the Oriyas, certainly I should have had very great pleasure in supporting it, although I would have had to point out, as the Hon'ble Sir William Vincent has pointed out, that any resolution on that subject would be a trifle too premature, because it is a matter for the reformed Councils in Madras, or rather for the Oriya-speaking people represented in Madras, Central Provinces, Bengal, Bihar and Orissa to say what form of government they require.

“ Then, Sir, I have another objection also, I think, somewhat of a practical character to the union of the people of Ganjam and Vizagapatam with Bihar and Orissa when really their interests would not be served. I can understand their asking for a separate province. I have always believed that the future self-government of India cannot be achieved unless the provinces are arranged on a ‘ linguistic basis,’ as far as possible, so that there may be homogeneity and cohesion, and I am still of the same opinion, but, Sir, that is not what this resolution asks for. If this resolution is accepted in lieu of the Oriyas being 4·9 millions out of 34 million people in Bihar, there would be about 6·9 out of a population of 36. That is all, and their position would not be much improved from the point of view of representation in the Bihar province. I fail to see, therefore, wherein comes any real advantage if any union is effected with Bihar. On the other hand, while it would be possible for an Oriya cultivator living in Ganjam to go to Madras within a day, and if the limits be lower down within less than a day, or say 20 hours, it would not be possible for him to reach Patna, the capital of the new province under anything less than two days or 36 hours ; and if you go to the Agency tracts, and Vizagapatam has been dragged into this discussion unnecessarily, it will be three or four days, whereas they can reach Madras much earlier. Therefore, from the point of view of administration, from the point of convenience, I do not see any advantages whatever except perhaps what may be based upon sentiment by reason of their association with Bihar. Of course, I do not despise sentiment and I am not objecting to the union of the Oriya-speaking people, where possible, but I am only pointing out that such a union instead of giving any real benefit

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to the people would prove a mere mockery and would merely add a little more territory to Bihar and also a little more to the difficulties of administration, because the officers from the headquarters will have to travel at least four days to reach the outlying parts, and new languages would have to be learnt.

"Then, again, a good deal has been said that in Madras the Oriyas have been cruelly suffering. While I fully sympathise with the aspirations of the Oriya-speaking people to come under one Government, I submit, Sir, the picture that was portrayed to us is overdrawn and does not represent the actual state of things. After all, you find that in the Orissa Province there are 4·9 or 5 million people roughly, and there are in Bihar and Orissa States about 4 million Oriya-speaking people, therefore the vast majority of the Oriya-speaking people about 9 millions are in Orissa itself, and surely they have not advanced to the extent that they ought to have advanced, and a mere addition of a million and a half or two would not very substantially improve the university or other attainments of the Oriya-speaking people.

"Then, Sir, I take exception to the statement made about Chicacole being the only Telugu-speaking taluq. What taluqs in Ganjam are to be included in Orissa is a question for a Boundary Commission, and we need not bring forward any controversial matters here for discussion, and it has no direct bearing on the question under consideration. I submit, Sir, hitherto we have been very much in the habit of talking as if the people belonged to a zemindari or to a province, and if a zemindari happens to be Oriya, all the talukas or all the people of that zemindari should be classified as Oriyas for the purposes of practical administration. I protest against that. The people everywhere have got an individuality of their own. It does not matter whether it is a Zemindari-taluka or a Government taluk. The question would be as to whether, in a particular area, the Oriya-speaking people or others are in a majority, excluding other considerations, for a moment, and I think my friend has unnecessarily, though incidentally, mentioned the Oriya limits in Ganjam.

"Then with regard to the administration of Oriyas in the Madras Province, they do labour under some disadvantages not being a majority race under that same Government. That need not be emphasised. It may be said of others also. But I do not know whether from the standpoint of secondary or higher education the Madras Oriyas are worse off than the Oriyas in Bihar and Orissa, and as they are as well looked after under Madras Government from an administrative point of view as they can be under the Bihar and Orissa Government, there is no necessity for drawing any comparisons of their inclusion in Bihar. I am in hearty sympathy with the essential principle underlying this resolution, namely, that all the Oriya-speaking people should be brought under one Government, and, while going so far as to say that I would join my friends in any agitation that may be necessary for securing a separate province for themselves, I think I must say that they would be jeopardising their own interests by coming under Bihar and Orissa where they would be an insignificant minority, with hardly any effectual representation on the University or on the Government of the Province. Nor do I think that the Oriya-speaking people are very much enamoured of being brought under Bihar and Orissa. I therefore do not think that I shall be justified in asking the Council to vote for this resolution."

The Hon'ble Mr. Karini Kumar Chanda :—“ Sir, if I get up 12 30 P.M.
now after the speech of the Hon'ble the Home Member, it is only to express my sympathy with the spirit of this resolution. I entirely sympathise with the Oriya-speaking people who are now scattered in four provinces, in their desire to be united with their brethren, their kith and kin, with the main portion of the community who are now under the administration of the Lieutenant-Governor of Bihar and Orissa.

“ Sir, in a telegram which we received from Mr. Gopa Bandhudas, President of the Utkal Conference Council, he says :—‘ Oriya people bleeding in dismemberment.’

[Mr. Kavinî Kumar Chanda; Sir Dinshaw Wacha; Mr. Sachchidananda Sinha.] [20TH FEBRUARY, 1920.]

" Now the Council may consider this language as rather inflated, but speaking from my experience and as one whose community has been similarly treated, I can assure the Council and the Government that the feelings of a people who are severed in this manner are certainly very painful. It may be mere sentiment, it may involve even the loss or diminution of privileges or of material advantages which union such as is contemplated here involves, but all the same it is necessary to bear in mind that sentiment rules the world more than anything else. Well in this view, Sir, my whole-hearted sympathy goes out to the Oriyas for union under one administration. I am inclined to agree with my friend the Hon'ble Mr. Sarma that it would be far better for the Oriyas to be under one administration rather than under Bihar and Orissa, but that is a matter of detail. After what the Hon'ble the Home Member said, I do not think I need pursue the matter; an inquiry will be made by the Government of India and I only hope that as a result of that inquiry the demand of the Oriyas will be met by uniting them in one Administration."

12-33 P.M.

The Hon'ble Sir Dinshaw Wacha :—" Sir, I am only prompted by one consideration to speak in favour of the Oriyas having their own nationality and their own territorial limits. I am a Bombay man and it is really a far cry from Bombay to Orissa. One is in the west and the other is in the east, and they are far apart. But what I do wish to say is to look at what has been happening just now in Eastern Europe? There, a large number of small nationalities are struggling in order to become homogeneous. There have been conflicts, and conflicts are still going on. The Supreme Council at Paris is not able to adjust all their differences; and I think the Hon'ble Mr. Banerjee was right in his speech, which was quoted by Sir William Vincent, when he said that conflicts and other jealousies and ambitions are, of course, to be deprecated in this country. That is the very reason which prompts me to say that were the future Government of India to be conducted under conditions of full responsibility, it is only natural that a people scattered in different places should aspire to become homogeneous in a single territory if they are not so now. I will give another instance. On the Bombay side there are two Kanaras, North Kanara and South Kanara, and some of the Kanarese wish to go back to Madras and some want to be with Bombay. And for many years before the Reform measure was passed the people of Sind thought that they ought to be separated from Bombay altogether and form a province for themselves, or be merged in the Punjab. All these are indications of the trend of public opinion; all nationalities want to be homogeneous. Sindh wants to be Sindhi, Orissa wants to be Oriya and so on. And I believe that in the future Government of India it will happen that all these small nationalities, which are now scattered on one side and another will aspire to become homogeneous. That is a very good sign of the times, and I hope, if possible, the Hon'ble Sir William Vincent would see how far the resolution of Mr. Sinha could be met by the Government. I gather from the speech of the Hon'ble Mr. Sarma that he is against it for very strong and cogent reasons. I doubt not my friend Mr. Sinha will be able to meet them; but still there are these opposing reasons here also. The Hon'ble Mr. Surendra Nath Banerjee brings forward one set of reasons, Mr. Sarma brings forward another set and the sentimental Mr. Chanda brings a third set of reasons. He is a great sympathy man. Of course, I can understand differences of opinion for one reason and another, and what I should say is that, looking at it from a broad point of view and at the condition in which small nationalities are struggling all over the world to have independence of their own and form homogeneous communities under a single territory, it might be better if the Government of India would consider, perhaps a year or two hence, that nationalities like those of Orissa should be allowed to form a homogeneous province of their own."

12-36 P.M.

The Hon'ble Mr. Sachchidananda Sinha :—" Sir, I think I have every reason to congratulate myself on the trend of the debate on my

[20TH FEBRUARY, 1920.] [Mr. Sackchidananda Sinha; Rao Bahadur
B. N. Sarma; Mr. Surendra Nath
Banerjea.]

motion. I must first express my sense of gratefulness to the Hon'ble Mr. Banerjea and the Hon'ble Sir Dinshaw Wacha for the very warm support they have accorded to my resolution, which has been moved, seconded and supported by the three members who represent in this Council the various constituencies of Bihar and Orissa. It has also received the support of distinguished leaders like Mr. Banerjea and Sir Dinshaw Wacha, and even Mr. Sarma, who has been trying to damn it with faint praise or praise it with faint damns, has, without committing himself, distinctly given it a qualified support. His support has been hedged in with all kinds of qualifications, limitations, provisos, ifs and buts, but even he has said that he sympathises with the spirit of it, and he would be glad to see the Oriyas brought under one administration. I would like to say one word about Mr. Sarma's objection. He seems to have a holy horror of the administration of Bihar and Orissa

^{will}
~~I say~~ **The Hon'ble Rao Bahadur B. N. Sarma:**—"I beg pardon, I say no such thing *whatever*. I said I want a separate province for the Oriyas and not a union with Bihar."

The Hon'ble Mr. Sackchidananda Sinha:—"I think he said it not in so many words but by implication. My contention is that while I do want the amalgamation of the Orissa tracts, still the position of Orissa in public life now is certainly very much better than it was before Bihar and Orissa were brought together. For one thing, I find that when Orissa and Bengal and Bihar were together, and before the new Province was formed, there were never more than two representatives of Orissa in the Bengal Council. Now in the Bihar Council we have got five representatives of the Province of Orissa, and it is thus more adequately represented. When Orissa and Bengal and Bihar were together it never fell to the lot of a native of Orissa to be returned to the Imperial Legislative Council. Since Bihar and Orissa were brought together Mr. Madhu Sudan Das was unanimously returned by the Provincial Council as a member of the Imperial Council. I think the position of Orissa has been improved by being bracketted with Bihar under a Government of their own. At the same time, as I have said freely and frankly, I should be the first person to press for a separate province for Orissa. I only brought the resolution in this particular form as a preliminary step to secure that object. And I shall beg the Hon'ble the Home Member, in the promise he has so kindly made of circulating the papers to the Local Governments, to include the suggestion of the Hon'ble Mr. Banerjea and the Hon'ble Mr. Sarma, which I most gladly accept, namely, that he may also include in the papers a consideration of the question as to how far it is feasible and practicable to constitute all the Oriya-speaking tracts under a separate Government of their own. The Hon'ble the Home Member in his report to my satisfaction, for which I am profoundly grateful to him, for it is very sympathetic, coming as it does from him

The Hon'ble Mr. Surendra Nath Banerjea:—"That qualifying clause nullifies it entirely."

The Hon'ble Mr. Sackchidananda Sinha:—"Then I did not mean what I said. He has done me the honour of criticising my proposals by citing a passage from a speech delivered in this Council by my old and esteemed friend Sir Gangadhar Chitnaris, who said that when the people of this country live under an administration they come to love it so much that they do not like to be detached from it. I think that was the substance of it. I have had the privilege of knowing Sir Gangadhar for a long time. He is himself of a most loving nature; he would love anybody or anything; he would love a stock or stone, leave alone an animate body like the Government. But I do not think Sir Gangadhar comments in this matter the correct attitude of the people.

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[Mr. Sachchidananda Sinha; Mr. F. J. Patel.] [20TH FEBRUARY, 1920.]

Now we in Bihar were for about 150 years under the Government of Bengal, forming with Bengal one administration, but I frankly confess we never loved the Government of Bengal. We always clamoured for a separate government of our own and we were not content until we got it. It is not true, therefore, that people who live under a Government get attached to it in spite of its limitations, and I think that proposition is not correct. However, I have no desire to pursue that matter, or to answer the objection of the Hon'ble Sir William Vincent, who seems to be of opinion that after the observations made by the Joint Committee in their Report, it is not open to the Government to accept the resolution for the appointment of a committee for the purpose I am seeking. The Hon'ble the Home Member may be right in his views, but I am equally entitled to maintain that there is no bar to the Government doing so if they choose to do it. But in view of the promise which he has so kindly made to have the papers circulated to the Local Governments, it will serve no useful purpose to argue these points at the present stage. I desire to express once again my profound gratefulness to him on behalf of the people of Orissa, in the larger sense of the term, for the promise he has made, and I hope, when he has circulated the papers, including the point of forming a separate administration for the Oriya-speaking population, and when the new Councils are formed, some good will ensue to the people of Orissa.

"I would ask your leave, Sir, to permit me to withdraw the Resolution in view of the assurances given by the Hon'ble the Home Member."

The Resolution was, by leave of the Council, withdrawn.

RESOLUTION RE FISCAL POLICY.

12-43 P.M.

The Hon'ble Mr. V. J. Patel:—"Sir, I have the honour to move the Resolution that I read:—

'This Council recommends to the Governor General in Council that he may be pleased to appoint a Committee, consisting of an equal number of official and non-official members of this Council, to investigate the question of fiscal policy to be adopted hereafter by the Government of India as a result of the recommendations of Lord Selborne's Committee and devise and suggest such tariff arrangements as seem to it best fitted to the needs of India as an integral part of the British Empire.'

"Sir, the people of this country were agitating for years past for getting what they call fiscal autonomy. All shades of opinion in the country were at one on this question; to use the phrase used by my friend the Hon'ble Mr. Khaparde yesterday, all parties, all shades of opinion, worshipped in the same temple so far as that question was concerned and all the deputations that went to England to represent their respective cases were agreed on this one point and pressed the question upon the attention of the Joint Committee, and the Joint Committee, as a result of the unanimous opinion of the country on that question, made some recommendations which I have not yet been able to understand quite properly, but which I will read to this Council. I will read only the relevant portions of the recommendation. The Joint Committee says:—

'Nothing is more likely to endanger the good relations between India and Great Britain than a belief that India's fiscal policy is dictated from Whitehall in the interests of the trade of Great Britain. That such a belief exists at the moment there can be no doubt; that there ought to be no room for it in the future is equally clear. India's position in the Imperial Conference opened the door to negotiation between India and the rest of the Empire, but negotiation without power to legislate is likely to remain ineffective. A satisfactory solution of the question can only be guaranteed by the grant of liberty to the Government of India to devise those tariff arrangements which seem best fitted to India's needs as an integral portion of the British Empire. It cannot be guaranteed by Statute without limiting the ultimate power of Parliament to control the administration of India and without limiting the power of veto which rests in the Crown; and neither of these limitations finds a place in any of the Statutes in the British Empire. It can only therefore be assured by an acknowledgment of a Convention. Whatever be the right fiscal policy for India, for the needs of her consumers, as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa.'

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"In the opinion of the Committee, therefore, the Secretary of State should, as far as possible, avoid interference on this subject when the Government of India and its legislature are in agreement and they think that his intervention, when it does take place, should be limited to safeguarding the international obligations of the Empire or any fiscal arrangements within the Empire to which His Majesty's Government is a party.

"This is in brief the recommendation of the Joint Committee on what we call fiscal autonomy. Now the first part of the recommendation gives the reason for the recommendation. It says that there is a belief in India that the fiscal policy of India is dictated in the interests of Great Britain from Whitehall, and it further says that nothing is more likely to endanger the good relations between Britain and India than that belief, and that every attempt should be made to root out that belief from the minds of the people. Clearly, therefore, such a belief does exist at the moment, and I go further and say that that belief is certainly well-founded. The people have good reasons for holding that belief, because, when England was free-trader, then the free trade policy prevailed. An attempt was made in 1911, I think it was by Mr. Bonar Law, by issuing an appeal to the people of India in favour of Imperial Preference, but, as the Government of the day was free-trader, Lord Crewe came out with a long speech in which he said that such a course would be an insult to the people of India. It would be placing India in a worse position than Colonies, and it would be ruinous to the people of India. I do not want to go into all that, but now, when the policy of free-trade has recently changed, we find a Resolution seriously moved by a member of the Executive Council in this very Council only yesterday to the effect that we should appoint a Committee to go into the question of Imperial Preference, because the Government at Home is now considering the question of Imperial Preference very seriously, and has in fact tentatively adopted that policy. So even after these recommendations of the Joint Committee which insist that attempts should be made to remove root and branch the belief in the minds of the people that the trade policy of India is dictated from Whitehall, the Government of India, instead of trying to remove that belief, is introducing, and adopted, a Resolution in this Council which will have the effect of furthering that belief. And I am sorry to say that the correspondence that passed between the Secretary of State and the Government of India on the question of Imperial Preference is also denied to this Council. However, that is another matter.

"I now come to the actual recommendations that have been made and the scope and the meaning of those recommendations. I find that speaking about those recommendations the Hon'ble Member for Commerce and Industry some time ago in Bombay stated that something approaching fiscal autonomy had been granted to India. Well, Lord Curzon in his speech in the House of Lords in the debate on the Government of India Bill said that India had been given almost full fiscal autonomy, while Lord Sinha in one of his speeches in Bombay clearly gave the impression that we had been given full fiscal freedom. He said that with regard to fiscal matters India would have the same right of regulating her policy as all other Cominions of His Majesty. These are three different versions. My Hon'ble friend, Sir Fazalbhoy Currimbhoy yesterday or the day before asked Government to explain what the extent and meaning of those recommendations were; and in reply he was referred to the recommendations of Lord Selborne's Committee. It is because of these different versions coming from different high quarters as regards the exact meaning and scope of these recommendations, that we seek to find out from the Government of India what they think of those recommendations, and the reply that we get is 'There are the recommendations of Lord Selborne's Committee; you look into them and put your own construction.' Well, we have put our own construction on them. Mr. Petit, Chairman of the Reception Committee of the Industrial Conference recently held in Bombay--what does he say of these recommendations? He says, after a critical examination of the recommendations of Lord Selborne's

[*Mr. P. J. Patel.*] [26th FEBRUARY, 1920.]

Committee, 'Under these circumstances I hope I may be pardoned for insisting or maintaining that what has been vouchsafed to us under the Act is not real fiscal autonomy as we understand it. If it is only a step (he is not sure whether it is even a step) towards it, let us hope that the complete transfer of it to the representatives of the people will not be withheld for a moment longer than is absolutely necessary.' This is the state of things. We do not exactly know what the recommendations mean; but the only way to find out is to try and put forward concrete proposals in regard to this matter in the form of legislation. Speaking for myself, I believe that the two qualifications or limitations which have been laid down in the recommendations deprive those recommendations of the pith and substance of them. But apart from that, if anything is really given in the nature of fiscal autonomy, it is not to the people of India, it is to the Government of India; and how far the Government of India in this matter will act independently of the Secretary of State and the British Cabinet and the British Parliament is a question for the future, because as I say, till yesterday we found that they were not free or acting independently in this matter. So long as the Government of India is responsible to Parliament, so long as the people of India have no control over the Government of India, fiscal autonomy, as has been recommended by the Joint Committee of both Houses of Parliament, has, to my mind, no meaning. But we have been assured times without number that fiscal autonomy has been granted by the Joint Committee and by Parliament, and therefore it is worth while now to try and see how far we can go in that respect. Of course I have stated the views that have been expressed from time to time, since the recommendations were made, by the politicians and public men and also by the Government of this country; but in the House of Commons also whilst this Bill was under discussion attempts were made by various members to find out from the Secretary of State himself as to what was the exact scope and meaning of those recommendations. I will just refer to one or two speeches in this connection. At page 512 of the official report of the House of Commons Debates on December the 4th, Mr. Montagu was invited in express terms to explain to the House what exactly those recommendations meant. Mr. Dennis, who represented the industries and commerce in the House of Commons, put a point blank question to the Secretary of State. He said:—

'It is necessary that one almost supremely important matter, which has scarcely been mentioned or thought of in the course of the Debate in Committee and here, should be brought to the right honorable Gentleman's attention so that he may tell us how far the fiscal policy of India will be controlled by the new Legislature. That is a matter of profound importance to all in this country who trade with India, many of our principal industries, many of our great commercial men and traders. So far as I can see the Bill is intended to remove every check upon fiscal policy or fiscal control of the new Legislature. As far as possible we entrust it entirely to this body of men, who in the Legislative Chamber will consist, to a great extent, of the rich men, the manufacturers and merchants of India. I believe this Bill is intended, as far as possible, to tie the hands of the Secretary of State and prevent him from placing any check upon any of the fiscal measures which may be passed, which may impose fetters upon our trade with India. The importance of that to our industry cannot be over-estimated, and it would not become me as one of the representatives of the centre of the great cotton industry, to let it pass without a warning of what may, and is more than likely, to happen in the immediate future. Our cotton industry is our greatest exporter, and India is our best market. Under the present law the Secretary of State for India has absolute control over the fiscal policy of India. So far as the Executive is concerned, he has the powers of superintendence, direction and control of all acts, matters, and concerns relating to the revenues of India.

'That power will be swept away by Clause 23 when rules are made under that clause. There is a certain protection in that these rules have to be laid on the Table of this House and Resolutions of both Houses have to be passed before the rules become part of the Statute; but the intention is that immediately on the passing of this Act these rules shall be made, and the Secretary of State will then be deprived of his powers of superintendence, direction, and control of all acts, matters, and concerns relating to the revenues of India.

'A further power which the Secretary of State has at the present time is that of disallowing the Acts of the Indian Legislature. He can intervene and advise His Majesty to disallow them, although passed by the Legislature and assented to by the Governor General. Up to the present time he has had control of the import duties into India on English goods. Some

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time ago we had a debate in this House on the Indian Cotton Duties. When India gave us her great contribution of £100,000,000 towards the cost of the War we agreed to the duties being raised, in consideration of a promise that there would be some day at the end of the War a system of Imperial Preference throughout the Empire in which the discrimination against English goods in regard to any of our Dominions and India would be done away with. It is the intention of the Bill that the Secretary of State shall no longer exercise his power of disallowing any Act imposing prohibitive restrictions upon the trade of this country with India. On this point the Report of the Select Committee referring to Section 38, says:

‘He quotes the recommendations of the Committee and says:—

‘That means ^{that} the policy apparently is that the fiscal policy of the Indian Legislature is to be based on the same lines as that of Canada and South Africa. That means complete fiscal autonomy. The manufacturers and traders should know that that is the intention of the Bill.

‘In the opinion of the Committee, therefore, the Secretary of State should as far as possible avoid interference on the subject’.

‘That is to say, he is not to exercise his power of disallowing any such tariffs.

‘When the Government of India and its Legislature are in agreement’.

‘Then he goes on further—

‘I rather tremble for the future of many of our industries in this country. I know the views of the Right Hon'ble gentleman to some extent and perhaps this will give him an opportunity of making some statement on the matter’.

‘The Secretary of State was thus invited to make a statement as to scope and meaning of these recommendations by Mr. Denniss in his speech which I have read. I may say here that to this query by Mr. Denniss no reply was forthcoming. The Secretary of State took no notice of it. He did not touch the point about fiscal autonomy in his final speech although he was more than once asked to explain the meaning and the scope of these recommendations. There is perhaps some explanation forthcoming in regard to a similar query by Mr. Stewart. This is what Mr. Stewart asked:—

Mr. Stewart.—‘I had a notion down to leave out the clause my object being to ascertain what would happen in certain circumstances if the Secretary of State divested himself as he proposes to do, of his authority. As probably India will claim full fiscal autonomy under this Bill, what will be the position?—Supposing India were to declare full fiscal autonomy, and try to make a bargain with some other country, giving that country better terms than she was prepared to offer this country. If the Secretary of State divests himself of all his powers, will India be able to legislate in this way, and will it not mean the breaking up of any system of Preference, the principle of which the present Government have accepted in a tentative form? I merely suggest that, for the Secretary of State to destroy his authority in this way is altogether unnecessary’.

This is the reply given by Mr. Montagu.—‘I do not think fiscal autonomy comes into this clause at all; it is merely concerned with such matters as allowing the Government of India to act in administrative matters when it is in agreement with the Legislative Councils. All measures connected with fiscal questions will be Bills, and all Bills will have to receive the sanction of the Crown. The King has a veto over all legislation, and therefore nothing that can be done under section 38 will, I think, be likely to affect that matter. I wish it were otherwise because if there is anybody in this House who think we ought still to manipulate the tariffs of India in the interest of any part of Great Britain, I should like to test that by a division. My hon'ble friend says ‘How are we to guarantee that India will not manipulate the affairs to the advantage of some body else?’ What guarantee have we that Australia will not do the same? There is nothing which would do us so much harm as the slightest suspicion that we want to alter the tariffs of India in the interests of British trade. We have the solidarity of the Empire to depend upon, and the Imperial goodwill, which has always been developed by mutual trust, and I think my hon'ble friend is perfectly right to have raised this question which ought to be decided, but I do not think it can be decided under this Bill’.

So the Secretary of State leaves us to understand the recommendations in the best way we can. The Government of India does not help us and public men both in India and in England put whatever construction they like upon the recommendations. It is therefore absolutely necessary that we should find out exactly the scope and the meaning of the recommendations. There is no doubt that something has been given; there is no doubt that nothing has been given

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to the people of India, that something has been given to the Government of India, but we do not know how far the Secretary of State will not interfere with the fiscal measures which are to be introduced and whether he will require the Government of India to consult him before any measures are undertaken at all. As a matter of fact if I read the recommendations aright, the Government of India have no business whatever to consult the Secretary of State in the matter before fiscal measures are undertaken. The Secretary of State may in the two circumstances mentioned in the recommendations interfere at any later stage, but so far as previous consultation is concerned, he should have no voice in the matter. It appears that even now correspondence is going on between this Government and the Secretary of State on the question of imperial preference. I do not know why. In these circumstances, it is absolutely necessary that we should find out what these recommendations mean. I say let us take these recommendations in hand, and let us proceed to formulate and revise our tariff arrangements and let us make the whole ground ready for the new Legislative Assembly. The Joint Committee say that India must have the same right of regulating her tariffs as the Colonies have. We should therefore devise and formulate our tariffs in the best interests of India. Let us see how far we can go, how far we are allowed to go, and how far the Government is free to deal with these fiscal questions. It is our duty to bring the matter to a head. That can best be done by a committee of officials and non-officials appointed by this Council for the purpose of formulating a definite scheme. With these words I move my Resolution."

1-10 P.M.

The Hon'ble Sir Fazulbhoj Currimbhoj:—"Sir, after the adoption of yesterday's resolution with the amendment moved by my Hon'ble friend Mr. Crum, this Resolution ought to have been withdrawn, because the object was attained by the Hon'ble Mr. Crum's amendment, i.e., the Committee will have power to devise the best method of considering the future fiscal policy of India. I think the Committee will fully consider in what manner the whole question ought to be considered"

The Hon'ble Mr. V. J. Patel:—"May I rise to a point of order, Sir? I should be perfectly prepared to withdraw my Resolution if that Committee will be entitled to go into the whole question"

The Hon'ble Sir Fazulbhoj Currimbhoj:—"No, no. I think, Sir, that a Committee of this Council will not be a proper body to consider the whole question. As I said yesterday, this question ought to be examined by a commission which should take evidence and go into the whole thing. It is a very big question, and it cannot be easily settled. I have also objection to this committee being composed of official and non-official members of this Council, because in our present Council we have not a large body of commercial men who alone can go into the whole question. I know that the Government of India have vast powers, and we know how the Government is going to be constituted under the Reform Act; but now we have got this, and we cannot improve upon it. I think that for the present we should be satisfied. I have been in this Council for the last few years, and I have always found that the Government of India have always been very sympathetic towards the commercial interests of this country. When the excise duty was imposed on us, the Government of India always fought hard for us and did their very best to reduce or remove it altogether. I am not a pessimist as far as the Government of India's interest in commercial matters is concerned. Not only that; but from yesterday's amendment by the Hon'ble Mr. Crum, which was accepted by the Hon'ble Member for Commerce and Industry, it is clear that the Government of India are in entire sympathy. They want to solve this problem, and I entirely agree with the views expressed by the Right Hon'ble the Under Secretary of State, Lord Sinha. I think we must accept his word that we are going to get the same fiscal system later on as the Dominions

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have. But at present the Secretary of State cannot interfere. In view of the fact that the Government of India sympathise with us, I think we shall attain our object. I do not think that we should be so pessimistic about the whole question. With these few words, I would ask my Hon'ble friend, Mr. Patel, to withdraw his resolution, at least until the report of the committee which has been appointed is published."

The Hon'ble Mr. W. E. Crum:—"Sir, I do not suppose there is any member of this Council who will disagree with what the Hon'ble Mr. Patel said at the commencement of this Resolution and with the recommendations of Lord Selborne's Committee to the effect that it is high time that India had a right to say something about her fiscal policy. But I do entirely disagree with the Hon'ble Mr. Patel's resolution as it is worded.

1-14 P.M.

"Now, Sir, I think it must be perfectly plain to anybody who has thought out the question at all that what the Parliamentary Commission meant by their finding was that the Government of India should, in future, have a free hand, or at any rate a much freer hand than they have at present in dealing with the fiscal problem, and since the Hon'ble Mr. Patel knows as well as any of us that commerce and the fiscal question are Reserved Subjects, and even Imperial subjects, it is perfectly obvious that at present the people of India should not have anything like a final say in forming a fiscal policy for the future. Now, Sir, I think it is very fortunate that it is so. The Hon'ble Mr. Patel told us yesterday,—I think I am quoting him correctly—that all Indian public men were avowed protectionists. Well, I was glad to see that my Hon'ble friend Sir Dinshaw Wacha refuted that statement, and I can recall another very prominent Indian public man, Mr. Padshah, who belongs to the well-known firm of Tata and Sons, who is also, I think, very far from an avowed protectionist. But I think that if what Mr. Patel says is anything like correct, it is very fortunate indeed for India that the Government of India is going to have a final say in this matter for some time to come, because I can hardly conceive of a more confused state of affairs than a lot of avowed protectionists who have never had anything to do with protection and never felt the good or evil of protection suddenly deciding upon what India's fiscal policy should be in the future. Therefore, I entirely agree with what my Hon'ble friend Sir Fazlulhoy said that a committee of an equal number of official and non-official members of this Council is not the right body to investigate a matter of this sort. I am not prepared to say off-hand what this body is, but as I suggested to the Hon'ble Sir George Barnes yesterday, the question as to what the right body is, might be discussed by the committee which he has already appointed under a formal resolution. My opinion agrees with that of the Hon'ble Sir Fazlulhoy that the committee should, as far as possible, consist of experts who should visit the different parts of India and discuss the whole question of fiscal policy as it affects the various parts of India and various businesses in India taking into view the whole question of fiscal policy, not only as regards Indian industries, but also *vis-à-vis* her foreign imports. If India once puts on a heavy import duty on all sorts of articles which she imports merely because she thinks she can manufacture those articles herself, she might involve herself into a maze of difficulties, and I do put it to members of this Council that the matter of the future fiscal policy of India is a most serious matter. It is a matter which should be discussed with the very greatest caution. If it is wrongly treated it may lead India into an enormous difficulty. I am not saying that I am anything like as confirmed a free-trader myself as my Hon'ble friend Sir Dinshaw is, but I do say that we must act very carefully in this matter, and that we must discuss the whole thing with the greatest care and be guided by the very best advice of the very best persons before we move in the matter. For these reasons, Sir, I beg to oppose this Resolution."

The Hon'ble Mr. G. S. Khaparde:—"Sir, I support this proposition with all my heart. I would have done so with some eloquence, but

1-19 P.M.

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unfortunately I have not got it. The fact, however, remains that there is a doubt as to whether what has been given under the clauses of the new Government of India Act would meet our requirements. As my Hon'ble friend Mr. Patel has pointed out, there are really three or four different opinions on the point. I am not going to repeat them, but it is quite clear that there are these differences of opinion, and it is difficult to understand where or how we stand, so we bring a test case, because when a case of that kind is brought there are arguments on both sides and ultimately a decision is reached. This is what has happened in the present instance, and I take it that my friend the Hon'ble Mr. Patel has brought forward this proposition as a test case. It has been suggested that we have not got enough commercial men in this Council and therefore we are not fit to consider this matter. I humbly submit that this is met by the fact that the Government of India have got a Department of Commerce and Industry, and all information that may be required is likely to be available with the gentleman presiding over that Department. The necessary information being thus available, all that remains for us to do is to judge the matter, and as this Committee will be a mixed committee of officials and non-officials, I think it should not be a very difficult matter to reach a conclusion. I quite agree with the Hon'ble Mr. Crum that it is a very difficult matter and ought to be approached very carefully, but this is the way to approach it carefully. There is already a committee formed for one specific purpose, let us have another to go into this matter and discover how we should act hereafter, and when these two committees have met and formulated their conclusions, there will be ample material for this Council to arrive at the right conclusion. Why shut out this inquiry while the other is being made? These objections which have been taken to the formation of the committee now proposed by Mr. Patel appear to me to be not very well founded. I said yesterday that India was not at present a manufacturing country. We have not got many articles to export; we do not finish many articles here, we merely supply the raw materials, and that was the reason for my objection to the Committee which was proposed by the Hon'ble Sir George Barnes, and I say that same objection which I took yesterday, helps me to support this resolution. We are mostly agricultural, and where we are not agricultural, we are only collecting raw materials to send elsewhere. In my province we discovered a whole mountain of manganese, and what has been done with that? All I can say is, that it has been carted away to the railway station and from there to the Port of Bombay and from Bombay to various parts of the world. That being so, we are not so much concerned to-day as to how we shall export our articles and whether we shall or shall not give preference, but our real question is, how we shall produce more, and have more articles to export, and then it will be time enough to determine that fact. I say this Committee proposed by Mr. Patel will help us to determine that matter and go into it fully, as to what we produce now and whether we have any finished articles, and how we can easily finish them in this country and how the tariff should be modified. We can then go into that matter and determine it. And what is more, if it is pointed out that it is not within our power to do this, then we shall know what our limitations in fiscal matters are. So, whichever way it goes, this inquiry will not only be very useful but also very fruitful. This will first of all settle a matter which has become very controversial now, some people thinking that nothing has been given, and others thinking that everything has been given, and others thinking that very little has been given. These matters need to be settled. I myself think that this Committee will be formed merely with the object of seeing the policy to be adopted hereafter by the Government of India as the result of the recommendations of Lord Selborne's Committee, and suggest such revised arrangements as seem best suited to the needs of India. The needs of India being increased production we have got so to arrange our tariff as will help more production. In that view of the matter these two Committees cover entirely different grounds. The first Committee, appointed yesterday, only considers how exports shall be carried on and what preference shall be given. This one is to consider the problems we have got here of increasing production and what arrangements are necessary for that purpose. So I do not see that

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they overlap, and their recommendations coming together might lead to a good decision and a wise decision. It is really a matter that has to be gone into very carefully, and the more the points of view we approach it from, the better. It is no use approaching it from one point of view only and carrying those conclusions out. It has been said that Mr. Patel is very pessimistic. I am very sorry that observation has been made. It is not a matter of pessimism; we want to discover what the position is, and so we suggest this means as a test case is brought in order to determine the application of any particular section of law. I humbly submit therefore that there is no pessimism in this matter. It has been said it would be a very dangerous thing for us to become Protectionists at this time. I have been a Protectionist from my college days, ever since I learnt the meaning of the word protection. In those days the late Mr. Justice Tejiang wrote a book on that subject and it was discussed and a great controversy arose over it and a number of persons took part in it, including, I believe, the late Professor Wordsworth. So I have some knowledge of that matter. So far as I have learnt by mixing in the world I believe that neither Protection nor Free Trade is the best doctrine. The best doctrine I myself believe is fair trade; that is to say you see how you stand, you see what you can produce, you encourage what you want to produce and you discourage what you do not want to produce, and also take into consideration how other countries act towards you, and your policy is the result of these considerations. The point being how to benefit your country and consider how other countries act towards you, and whether it is possible for you and your Government to increase the production of what is required. I believe these are the different points for consideration and I heartily support this proposition that a second committee be formed to consider what is mentioned in the Resolution."

[At this stage the Council adjourned for lunch.]

The Hon'ble Rao Bahadur B. N. Sarma:—"Sir, I understand ^{2-33 P.M.} the object of the Resolution to be that the future tariff policy of India should be inquired into at the earliest possible moment by the Government with the aid of a Committee composed of officials and non-officials. I am afraid that both the Hon'ble Mr. Patel and the Hon'ble Mr. Khaparde, who spoke to the Resolution brought in arguments which might not advance their position with the Government in inducing them to accept the resolution. They seemed to think that this would be a fitting place to test as to what the constitutional reforms are going to give us. Sir, I respectfully beg to submit that that could not have been their object, although they advance that as one of the arguments. Both their object and our object is to see the future fiscal policy settled at the earliest possible moment so that we may have knowledge on the subject, definite guiding principles and a definite policy before other countries steal a further march upon us.

"So far as the freedom of the Government of India regarding future fiscal policy of India is concerned, I do not see there is much room for controversy. In the words of Lord Curzon the fiscal policy of India would be largely in the hands of the Government of India as advised by the Legislative Council. His Lordship, on the second reading of the Government of India Bill, said:—

"For the first time a responsible and representative British Committee charged with establishing a Government for India have conceded to India almost absolute freedom of fiscal policy. They have laid down the proposition and the principle that she ought to be free to exercise in respect of her tariffs and so on the same degree of liberty as is enjoyed by the great Dominions of the Crown. This is a change so fundamental and fraught with such stupendous consequences that I am amazed at the little attention which it has attracted in this country," and he heartily supported the policy.

"I take it, Sir, that there is a fundamental change in the policy and that the future Government of India will be at perfect liberty, so long as they are in agreement with the Legislative Council, to shape their tariff unhindered by Whitehall in any way they choose, but I do not think that there is any necessity for laying undue stress on this aspect of the matter, because I feel sure that, with this added responsibility, the Government of India would or

[*Rao Bahadur B. N. Sarma; Sir George Barnes.*] [20TH FEBRUARY, 1920.]

ought only be too glad to receive assistance from the country as a whole before they shape their policy, and in my mind I have not the slightest doubt that they would safeguard the real interests of India if only the people are fairly unanimous and sensible in arriving at conclusions.

"Now, Sir, speaking on this question of fiscal policy one would have thought that the Government of India would have taken earlier steps in coming to conclusions with or without the aid of a Committee. It was impossible for them, so long as the policy was governed from Whitehall, to do it on their own initiative, but now that we have a definite pronouncement that upon them rests the responsibility in future of shaping the fiscal policy of the country they should take the earliest possible steps for consulting public opinion before they formulate their policy. Even during the war, it is hardly necessary for me to say, a Committee sat in London to consider what ought to be commercial and industrial policy after the war and arrived at definite conclusions with regard to the future policy of the British Empire and of the United Kingdom. The conclusions relevant now are summarised at page 52 of their Report. They say:—

'The producers of this country are entitled to require from the Government that they should be protected in their home market against "dumping" and "sweated goods."'

"Then they say:

'Key and pivotal industries should be maintained in this country at all hazards and at any expense. No ordinary economic rules apply to the situation of these minor but important industries. They must be kept alive either by loans, by subsidy, by tariff, by Government contracts, or in the last event by Government manufacture. They will necessarily be subject to Government supervision.'

"They add:

'As regards other industries, protection by means of Customs duties or Government assistance in other forms should be afforded only to carefully selected branches of production which must be maintained either for reasons of national safety or on the general ground that it is undesirable that any industry of real importance to our economic strength and well-being should be allowed to be weakened by foreign competition or brought to any serious extent under alien domination or control.'

"Then they say:

'Preferential treatment should be accorded to the British Overseas Dominions and Possessions in respect of any Customs Duties now, or hereafter to be, imposed in the United Kingdom, and consideration should be given to the expediency of other forms of Imperial Preference.'

Then they go on to state what is to be done with regard to the Allies.

"Now, with regard to the fourth item, we have appointed a Committee yesterday to see whether any preference could be given to other parts of the British Empire.

"But I submit, Sir, . . .

The Hon'ble Sir George Barnes:—"We are hardly discussing the question of Imperial preference now; the motion is for the appointment of a committee to consider fiscal policy."

The Hon'ble Rao Bahadur B. N. Sarma:—"Just so, to consider as to whether it is not desirable to adopt a system of preference among other things. Yesterday we appointed a committee to consider whether it would be desirable in the interests of India to admit any preference to other parts of the Empire. I submit, Sir, the time has come when the Government should give a detailed consideration to the other items also, to see whether manufactures of other countries should be allowed to be dumped here, to consider what are the key industries of this country which should be maintained and preserved at any cost, and what are the other industries which should in the interests of the nation be encouraged by means of customs tariffs and other methods. Well, when the Industrial Commission sat, there was an almost unanimous consensus of opinion that it was a matter for deep regret

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that the question of fiscal and tariff policy of the Indian Empire should not have been asked to be considered by that committee. But I fully realise that under the then existing circumstances, when the future policy of the Empire and the Indian Government was not settled, it was difficult to ask the Commission to inquire into the matter. But, now that there is some sort of agreement as to who are to be responsible for the future fiscal policy of the country, I think, Sir, the time has arrived when the Government should take action. Of course the policy will not be for the present dictated by the people alone; the people would be merely advisers; but the people would have a very large and potent voice in shaping the policy. If the Government of India should agree with them, then there is an end of the matter; it is not open to Whitehall to put forward its ideas on the subject to reverse our decision, subject to the Crown's voting power. Therefore, every Indian politician, every Indian public man would try his level best to convert the Government of India to his views and the Government of India would, on the merits of every proposition, decide as to whether preference is to be given as to whether tariff protection should be given and what other methods are suitable. I submit in this connection that none of us need be described as a protectionist or a free-trader. I think it is absolutely impossible for any one to be an absolute all-round free-trader or protectionist. I tried sometime ago to go into this question and found that it was absolutely impossible for me at any rate to be either an out-and-out protectionist or free-trader. It would be ruinous to the country to put forward any such pretensions. The result may be that foreign manufacturers would come here and take the benefit of protection without doing any good whatsoever to the Indians themselves, who would be unprepared to take advantage of any protection which may be given; and the poor labourer and agriculturist would be hard hit and compelled to buy goods at a much higher rate than at present. Therefore it is not such an easy matter to say that there should be absolute protection or an absolute free-trade policy for India. We have to be free-traders and protectionists alike, and have to decide each subject on its own merits, and I, therefore, submit that no good will result in characterising the present Indian politician or the future Indian politician as either a protectionist or free-trader and condemn him or approve of him accordingly. I hope, therefore, that this very important matter would not be allowed by the Government to escape their attention. I think the time has come for us to formulate our policy before other countries formulate theirs finally, in order that we may be able to bargain with them on favourable terms. It is with that object that I ask Government to consider as to whether it would not be possible for them to accept this proposition for the appointment of a committee. I do not say that the committee should be composed in the manner suggested in the resolution, and I am prepared, if there is no objection, to ask for the omission of the words 'consisting of an equal number of official and non-official members of this Council.' I, therefore, hope that the Hon'ble Sir George Barnes will be able to see his way to give very favourable consideration to the appointment of a commission at the earliest possible moment."

The Hon'ble Mr. V. J. Patel:—"Has the Hon'ble Mr. Sarma moved his amendment?"

The Hon'ble Rao Bahadur B. N. Sarma:—"I beg to move, if no body has any objection, the omission of the words 'consisting of an equal number of official and non-official members of this Council' in the resolution."

The Vice President:—"The Hon'ble Member will hand in a copy of his amendment."

[*Sir Dinshaw Wacha; Mr. Kamini Kumar Chanda.*] [29TH FEBRUARY, 1920.]

and Madras and other places? The Government adopted that method with regard to the State management of Railways; and I submit that the same procedure would prove the most practical for collecting a mass of information; and in this way eliciting a large volume of expert opinion of merchants, manufacturers and other industrial men. Those opinions will then be brought together into a focus, and the Government might publish the information gathered and the opinions elicited in order to make the public fully acquainted with them. The Government, under such a method, would be in a better position to realise the whole situation than they could do simply by a committee. A committee is after all a minute body consisting of a very limited number of people of experience in matters of trade; while in a problem of this nature we should have as large a volume of genuine expert-public opinion as is possible from all the different provinces. Of course, there are different industries in different provinces, and so Government would be in a position in the end to analyse and focus all these opinions for placing them before the public and later on before the legislature. I think that that is the right course to pursue. Mr. Sarma quoted from the report of the Parliamentary committee which sat on the question last year. I have read it, but after all what are such reports? They are tentative reports, and even supposing that the present Coalition Government in England adopted the policy recommended, I am quite sure—indeed I am convinced—that nothing in the way of sound economic development of the future trade of the whole world will result therefrom unless and until some five years hence. In other words until Europe is economically settled. All these problems are intertwined and overlap each other, particularly the problem of exchange which, of course, affects all international trade. Therefore, I say, that whatever a committee or the government may recommend will have no finality and will be of little use. I think all present efforts by way of reports and recommendations will go to the waste-paper basket. The only practical way I consider, and I am convinced of it, is to elicit a large volume of expert opinion, as a preliminary to laying down a sound and broad policy as was the case in the matter of State management of railways. It is a large question of a far-reaching character, affecting the commercial interests of all India, and the Government might well follow the same course. There are a variety of experts in India who can offer most excellent opinions which no committee can get at unless witnesses are called. The procedure I have suggested is the only practical one; and so far neither Mr. Patel's Committee nor Mr. Sarma's Committee will serve the purpose in view.

The Hon'ble Mr. Kamini Kumar Chanda:—"Sir, I beg to support this motion on a short ground. In the first place I have my difficulties, like Mr. Patel, in understanding what we have got under this Act in fiscal matters. I think the expression which my Hon'ble friend, Mr. Crum, has used probably represents the truth, that it is not the people but the Government of India who have got some fiscal freedom under certain conditions, under the Act. But, then, the question remains that the Government of India is responsible to the Secretary of State and will be under him. Then, what is the change which the Act has made in our position in regard to fiscal matters? That is a point which we do not understand. My Hon'ble friend, Mr. Khaparde thinks that Mr. Patel's motion is what is known as a test case to find out what the position really is. But I look upon it in another light. I think, Sir, it is understood that when the Government of India and the Indian legislature agree in certain matters, in those matters the decision will not be interfered with by the Secretary of State, and therefore, Sir, I think it is necessary that we should find out in what matters our views coincide with the views of the Government of India, and for this purpose I think a Committee might be appointed to go into this matter and make a report, and then it will be seen how far the Government of India are prepared to accept our recommendations, and as regards those matters probably we shall get fiscal freedom.

"On these grounds I support the motion for the appointment of a Committee. As to whether it should be composed of an equal number of officials and non-officials or, as my Hon'ble friend, Mr. Sarma suggests, of experts, this is a matter which does not appear to be difficult of solution, the main point is that a Committee be appointed."

[20TH FEBRUARY, 1920.] [Sir George Barnes; Mr. V. J. Patel.]

The Hon'ble Sir George Barnes:—"Sir, I quite agree that ^{2-50 P.M.} the time is ripe for the exploration of the fiscal question in India, and yesterday I accepted Mr. Crum's amendment to my Resolution and I hoped up to a short time ago that this amendment had satisfied the Hon'ble Mr. Patel and the Hon'ble Sir Fazulbhoj Currimbhoy. I hoped that the Hon'ble Mr. Sarma also had agreed. The amendment provided that the Committee should report on 'the best methods of considering the future fiscal policy in India.' Now Mr. Sarma says 'let us jump to the conclusion that a Committee is the right way.' The Hon'ble Sir Diashaw Wacha does not think that a Committee is the right way. Surely the best thing we can do in the circumstances is to follow the amendment which Mr. Crum proposed yesterday, and which I accepted. The Committee to be appointed under the Resolution moved by me yesterday will be largely composed of commercial men, and one Committee at a time is enough, I am afraid I cannot accept either the Resolution or the Hon'ble Mr. Sarma's amendment. I am not willing to go beyond the amendment that was proposed to the Resolution yesterday. I am not quite sure that I fully understand what Mr. Patel's object is and what it is that he wishes. From one part of his speech I gathered he wished to clear up what he thought were obscurities in the Report of the Joint Committee on clause 33 of the Government of India Bill. In any case I do not think a Committee of officials and non-officials is the best method of clearing up obscurities in the Report of the Joint Committee. To me the Report does not seem obscure, and read with what Mr. Sarma has quoted, and what Mr. Patel has himself quoted, I think all obscurities are brushed away. It is clear however that on this matter none of us can put an authoritative gloss on the words of the Joint Committee. In another part of his speech he seemed to think that a Committee of this Council would be the proper body to advise on the fiscal policy of India. Now I do not propose to add anything to what Mr. Crum has said and to what Sir Fazulbhoj Currimbhoy has said on the point. I feel sure that a Committee of this Council would not be the best body to go into this matter. There is one little point in the Hon'ble Mr. Patel's speech to which I should like to refer. He complains that my Resolution of yesterday would encourage the belief—I think I have taken down his words correctly—that the fiscal policy of India is dictated from Whitehall. I can hardly believe that this can possibly be the result of my Resolution. The object of the Resolution was to take the members of this Council fully into the confidence of the Government and to ask them to discuss the policy of Imperial Preference. How can that be suggested as a course that would encourage the belief that India's policy was dictated from Whitehall? I have nothing more to say except to correct a statement which Mr. Khaparde made in the course of his speech to-day, and I think that he made the same statement in his speech of yesterday. He said that the exports of India were confined to raw products. Now I should like to assure the Hon'ble Mr. Khaparde that he is mistaken there. I should like to present to him a small handbook of commercial information relating to India which will show him that Indian exports are not confined to raw materials. I will give a few figures. The export of jute manufactures from India last year amounted to 85 millions sterling; cotton manufactures £9,300,000; tea £11,850,000. These figures are taken from a small handbook which has just been written for the Government of India by Mr. Charles Cotton, who was lately Collector of Customs, Calcutta. I feel sure that the Hon'ble Mr. Khaparde will find a great deal of useful information in it and I will send him a copy."

The Hon'ble Mr. V. J. Patel:—"Sir, the Hon'ble Member who ^{2-56 P.M.} just sat down told us that I suggested during my speech that the acceptance of the Resolution on Imperial preference yesterday would create the belief in the minds of the Indian people that the trade policy of India was dictated from Whitehall. I do not wish to say that I never made that statement; the fact is that that is so. Who asked for the consideration of the question of Imperial preference at this time and for the appointment of a Committee of this Council for the purpose? May I know? The Government of India comes forward with a proposal regarding Imperial preference when the Joint Committee has recommended fiscal autonomy for India. We want to know whether the Government of India of their own accord moved the Resolution

[Mr. F. J. Patel.] [20th FEBRUARY, 1920.]

on the subject, or whether they were inspired by the Whitehall authorities. My Hon'ble friend, Sir Fazulbhoy Carrimbhoy, the other day asked a definite question in regard to the correspondence that passed between the Government of India and the Secretary of State on the subject of Imperial preference. We were told that that was confidential and could not be laid on the Council table. How are we to believe that it was for the good of the people of India that at this juncture Government should bring forward a Resolution for a Committee to consider the question of Imperial preference? How can we believe, considering our past experience in the matter of dictation from Whitehall of the trade policy of India that the Resolution is not the result of the correspondence between Whitehall and Simla? The Government of India should at this moment be really considering the question of formulating tariff proposals in the light of the recommendations of Lord Selborne's Committee. Instead, we have actually appointed a Committee to consider the question of Imperial preference. What further evidence is necessary to show to the people of India that our trade policy is still being influenced by the Authorities at Whitehall? The attitude taken by the Government of India on this Resolution recommending the appointment of a Committee to consider the whole question of tariffs will certainly further that belief and not in any way tend to remove it. It is very unfortunate that the Government of India have taken up this attitude in regard to the Resolution. Mr Khaparde said the Resolution was in the nature of a test case. My Hon'ble friend, Mr. Chanda, did not agree with that view, and the Hon'ble Member in charge of the Commerce and Industry Department said he did not understand what my object was in moving this Resolution. My object is clear. The Joint Committee in their recommendations say 'a satisfactory solution of the question can only be guaranteed by granting liberty to the Government of India to devise such tariff arrangements as seem best fitted to the needs of India as an integral portion of His Majesty's Empire.' Compare these words with my Resolution. I wish the Government of India to appoint a Committee to consider the question of tariff arrangements which seem best fitted to the needs of India as an integral portion of the British Empire. I want these recommendations of the Joint Committee to be acted upon. The question of Imperial Preference should not be considered at this moment, but in view of the recommendations of the Joint Committee, what we should now set about doing is to consider and formulate proposals for the purpose of imposing tariffs under the new powers given to us. I may say at once that Mr. Sarma's amendment I accept. I do not say that a Committee of this Council would be better fitted to undertake the task than a Committee of commercial experts. I do not at all suggest that a Committee of this Council would be better fitted for the purpose than a Committee of commercial magnates like my friends the Hon'ble Sir Fazulbhoy and the Hon'ble Mr. Crum. Let them be members of that Committee. Let Government appoint them and some other commercial magnates. I do not for a moment say that a Committee of this Council alone should go into the whole question. What I want really is a Committee of officials and non-officials. Let them sit together and consider these recommendations and find out what tariff would suit the best interests of India. That is the only thing that I want, but I am sorry to find that you accept a resolution in favour of Imperial preference and you oppose a resolution to consider the question of tariffs. I do not think that my Hon'ble friend, Sir Fazulbhoy, would object to the Committee which my Hon'ble friend, Mr. Sarma's amendment proposes and which I accept, because his sole objection to my Resolution was that a Committee of this Council would not be a proper body to consider this question. I see no reason why I should not pass this Resolution to a division. The Hon'ble Mr. Crum's amendment which was accepted by the Hon'ble Sir George Barnes yesterday does not satisfy the requirements of the case. What does his amendment say? It says that the Committee appointed yesterday should consider what methods should be adopted for the purpose of examining this question. That Committee will sit and consider the question and recommend the appointment of another Committee. What else could they say? They will perhaps go further and say that the new Committee should go round and take evidence in different provinces and then make a report. I say all right, by all means appoint another Committee. I do not want the same Committee to go into the question.

[20TH FEBRUARY, 1920.] [Mr. V. J. Patel; The Vice-President.]

But what I cannot understand is this, when the trade statistics are all ready, when one Committee has been entrusted with the work of going into the whole question of Imperial preference, why should not the same Committee with the same statistics with such members on that Committee as my Hon'ble friend Mr. Crum, Sir Fazulbhoj and the Hon'ble Sir Dinshaw Wacha, why should they not at the same time go into the whole question of tariff and make their recommendations? I do not see the slightest objection to that course, but if the course which my Hon'ble friend Mr. Sarma suggests is acceptable to some members of this Council, I have not the slightest objection to adopt it. I trust the Council will accept this Resolution and will not help to further the belief, which exists in the minds of the Indian people, that the trade policy of India is still being dictated from Whitehall."

The Vice-President :—"Inasmuch as the Hon'ble Mr. Patel fairly accepts the amendment proposed by the Hon'ble Mr. Sarma, I will first put the Resolution as amended by the Hon'ble Mr. Sarma to the Council. The Resolution as so amended will run as follows :—

"That this Council recommends to the Governor General in Council that he may be pleased to appoint a Committee to investigate the question of fiscal policy to be adopted hereafter by the Government of India as a result of the recommendations of Lord Selborne's Committee and devise and suggest such tariff arrangements as seem to it best fitted to the needs of India as an integral part of the British Empire."

The motion was put and the Council divided as follows :—

Ayes—14.

Noes—40.

Hon'ble Mr. S. Sastri.

- " Mr. B. N. Sarma.
- " Mir Asad Ali, Khan Bahadur.
- " Mr. V. J. Patel.
- " Mr. E. H. Jaffer.
- " Raja Sir Rampal Singh.
- " Mr. S. Sinha.
- " Chaudhri Mubammad Ismail Khan.
- " Khan Sahib Shah Nawaz Bhutto.
- " Sir Umar Hayat Khan.
- " Sir Zulfikar Ali Khan.
- " Sardar Sundar Singh.
- " Mr. G. S. Khaparde.
- " Mr. B. C. Allen.

His Excellency the Commander-in-Chief,
Hon'ble Sir Claude Hill.

- " Sir George Lowndes.
- " Sir George Barnes.
- " Sir William Vincent.
- " Mr. Shafi.
- " Mr. W. M. Hailey.
- " Sir Arthur Anderson.
- " Sir Thomas Holland.
- " Sir Gangadhar Chitnavis.
- " Mr. W. E. Crum.
- " Mr. S. N. Bauerjia.
- " Mr. C. F. de la Fosse.
- " Mr. F. M. Cook.
- " Mr. H. Sharp.
- " Mr. H. McPherson.
- " Mr. A. H. Loy.
- " Sir William Marris.
- " Mr. R. A. Munt.
- " Major-General Sir Alfred Bingley.
- " Mr. E. Burdon.
- " Sir Sydney Crookshank.
- " Sir John Wood.
- " Surgeon-General W. R. Edwards.
- " R. B. L. M. Chatterjee.
- " Mr. G. R. Clarke.
- " Mr. H. Moncrieff Smith.
- " Mr. A. P. Muddiman.
- " Mr. C. A. Barron.
- " Mr. N. E. Marjibanks.
- " Sir Dinshaw Wacha.
- " Sir Fazulbhoj Chrimbhoy.
- " Mr. C. De.
- " Mr. L. F. Morshead.
- " Mr. C. A. Kincaid.
- " Mr. P. J. G. Pipon.
- " Mr. H. A. Casson.
- " Mr. A. E. Nelson.
- " Mr. B. C. Allen.
- " Mr. G. F. S. Christie.

The Resolution, as amended, was therefore rejected.

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[The Vice-President; Mr. V. J. Patel; Mr. Sachchidananda Sinha.] [20TH FEBRUARY, 1920.]

The Vice-President:—"I understand the Hon'ble Member does not desire me to put his original Resolution?"

The Hon'ble Mr. V. J. Patel:—"No, not at all."

RESOLUTION RE AMENDMENT OF THE SECOND SCHEDULE OF THE GOVERNMENT OF INDIA ACT, 1919 IN REGARD TO THE POSITION OF BIHAR AND ORISSA.

8-14 P.M.

The Hon'ble Mr. Sachchidananda Sinha:—"Sir, I move the following Resolution, namely:—

'This Council recommends to the Governor General in Council that he may be pleased to urge upon the Secretary of State for India the extreme desirability of taking early steps to get the second Schedule of the Government of India Act, 1919 (9 and 10 Geo. 5), so amended, that Bihar and Orissa be removed from the group of provinces in which it is placed in the said Schedule and be included in the group the 'maximum annual salary' of the Governors of which is fixed at one hundred and twenty-eight thousand rupees and that of the members of the Executive Council at sixty-four thousand rupees.'

"Sir, since I gave notice of this motion many of my non-official Indian friends have asked me in tones of deprecation what on earth I mean by bringing up a proposition the object of which apparently is to increase the salaries of officials! They say that my duty as a representative of the taxpayers is to out down the salaries of officials and make them work, if possible, for nothing. That being so, they ask why I should be anxious to increase the annual salary of the Governor of the Bihar and Orissa by Rs. 28,000 and of the Members of the Executive Council of that Province by Rs. 4,000. This certainly requires an explanation. My answer is that this is but the technical form in which I had to cast my resolution, if I am to convey to the Council what exactly I mean by submitting it. As the matter under consideration in this Resolution is dealt with in the second Schedule of the Government of India Act, 1919, in which it is placed under the list of official salaries, I had to cast my Resolution in that particular form, but the sum and substance of my proposition is, that Bihar and Orissa should have what is popularly known as the Presidency form of government, which has now been conferred upon the United Provinces of Agra and Oudh. Viewed in the light of this explanation I hope I shall be able to carry with me the sympathy of this Council, after I have made my submissions. Now the position of Bihar and Orissa in this matter is quite clear, and to be able to appreciate the point involved, we shall have to go back to the history of this institution of Executive Councils and Presidency Government. In 1833, all the British territories in Northern India were popularly known as the Bengal Presidency. When the Charter of the East India Company was renewed in that year by a Parliamentary Statute, it was laid down that the British territories in Northern India having overgrown, the Government were to divide them into two Presidencies, to be called the Presidency of Fort William in Bengal and the Presidency of Agra. The scheme of the Presidency of Agra, however, was not carried out at the time. Two years later another Act was passed by Parliament suspending the operation of the Act of 1833, and modifying it to the extent that a Lieutenant-Governor be appointed for the Presidency of Agra under the name of the North-Western Provinces. The result was that, whereas the North-Western Provinces got a Lieutenant-Governorship, the Presidency of Fort William, which included Bengal, Bihar and Orissa, remained under the direct management and control of the Governor General, he also being the Governor of the Presidency. From time to time the Governor General used to appoint a Deputy Governor, when leading expeditions into the Punjab or travelling about in distant parts of the country in those pre-railway days, but the arrangement was found to be

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OF THE GOVERNMENT OF INDIA ACT, 1919 IN REGARD
TO THE POSITION OF BIHAR AND ORISSA.

[20th FEBRUARY, 1920.] [Mr. Suchchidananda Sinha.]

unsatisfactory and naturally led to bad administration. The result was that in 1853, when the Company's Charter again came to be renewed, an Act of Parliament was passed providing that for the Presidency of Fort William, namely, for Bengal, Bihar and Orissa, there might be appointed a Governor, as in the case of Madras and Bombay, but that failing that the Directors might appoint a Lieutenant-Governor to carry on the administration under the Governor General acting as Governor. As a result of this Act Sir Frederick Halliday was appointed as the first Lieutenant-Governor of Bengal, Bihar and Orissa in 1854, but the power vested in the Government of appointing a Governor for Bengal, Bihar and Orissa was not exhausted but continued unused till 1912 when, under the King-Emperor's proclamation, Bengal proper was raised to the status of a Presidency Government. I have tried to show that under this Act of 1853 not only Bengal proper, but the whole Presidency of Fort William, including Bihar and Orissa also, were promised a Governorship in Council, and that that power was to be used whenever the Governor General ceased to be technically the Governor of Bengal, Bihar and Orissa.

"In 1912, after His Majesty's Proclamation in this very city of Delhi, a notification was issued that the Governor General of India ceased from the date of the notification to be the Governor of the Presidency, and that in his place Lord Carmichael was appointed to be the Governor of Bengal. But my contention is that His Majesty's Ministers did not properly advise His Majesty in requesting him to constitute only Bengal proper as a Presidency and to leave Bihar and Orissa under a Lieutenant-Governor in Council. The law of 1853 contemplated that all these three Provinces, Bengal, Bihar and Orissa, should be raised to the status of Presidency Government, and it was not fair to us, therefore, to leave Bihar and Orissa under a Lieutenant-Governor. However, as perhaps a solatium to us we were given an Executive Council, and the present administration of Bihar and Orissa, therefore, continues to be under a Lieutenant-Governor in Council, that is under an Executive Council. We expected, however, that when the new reforms would come into operation, our claim to a higher status, as a vested interest, would be considered by His Majesty's Government, but I find that according to the second Schedule of the Reform Act, the Province of Bihar and Orissa have been left in the cold shade of neglect and have been grouped administratively with the Punjab. Now, personally, I have a great admiration for the Punjab with which, as the Hon'ble Mr. Shafi will bear me out, I have been intimately connected for the last twenty-five years. But, so far as administration is concerned, my contention is that Bihar and Orissa are entitled to enjoy as a vested right the benefits of a higher system of administration than the Punjab. You, Sir, may remember—I was not in the Council at the time—that, about two years ago, the Hon'ble Mr. Shafi himself moved a Resolution in this Council that the system of administration in the Punjab should be assimilated to that of Bihar and Orissa. This led to a very interesting and memorable debate in which Sir Michael O'Dwyer took a very prominent part; I think you were in the chair at the time, Sir. Well, Mr. Shafi having moved that the system of the Punjab administration might be assimilated to that of Bihar and Orissa, I confess I am a little surprised to find that, in a sense, Bihar and Orissa themselves, far from having been given higher status, have now been brought down to the level of the Punjab. That, I confess, is a little hard upon them. I think, therefore, on these legal, historical and constitutional grounds, that I am justified in my contention that Bihar and Orissa are entitled to be made a Presidency Government. But I do not base my contention solely upon these grounds of law and constitution. I think that, judged by any reasonable standard, the Province is entitled to the Presidency form of government. For one thing, as I have already told the Council, Bihar and Orissa is the only Lieutenant-Governorship in the Indian Empire which at present has got an Executive Council. I am far from grudging Agra and Oudh their good fortune in having been able to secure for themselves a higher system of administration. On the contrary, I am highly gratified, for if it

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may not be considered improper for me to make a personal reference, I myself moved a Resolution some years back in this Council that the Provinces of Agra and Oudh might be given an Executive Council. That was the beginning of the agitation which has ultimately resulted in the Provinces of Agra and Oudh being given this higher status of a presidency government. But the thing works out like this. The United Provinces comprise, as we know, two sub-provinces, the old North-West Provinces, now called the Province of Agra and the Province of Oudh. Now the Province of Oudh (which is represented in this Council so ably by my Hon'ble friend Raja Sir Rampal Singh) was not even a part of British India in either 1833 or in 1854, at the time when Bengal and Bihar and Orissa were promised presidency government. It came into the British Empire in 1856, and yet from the mere accident of its having been amalgamated since with the Province of Agra, although it was never promised a presidency form of government, it has now come to enjoy that higher status. Personally, I am very glad indeed that my fellow-countrymen in Oudh have got the benefits of this higher administrative status, but it does not stand to reason why in spite of their vested right Bihar and Orissa should have been passed over in silence. I think I am justified in making a grievance against the Government of India that in this particular matter they have ignored the just claims of the people of Bihar and Orissa. It might be asked, however, what is the reason that we are so insistent in this matter by pressing the claims of Bihar and Orissa? What does it matter if the Provinces of Bihar and Orissa should rank only as a second class governorship—for under the new Reform Act the expression 'Lieutenant-Governor' has been practically abolished, and the heads of almost all the Provinces are now to be called Governors. The reply is obvious, as Bihar and Orissa will stand on a footing of inferiority to those provinces which will rank as first-class governorships, namely Bengal, Madras, Bombay, and the United Provinces, which also have now been fortunately placed on the footing of a presidency government. My esteemed friend, the Hon'ble Sir William Marris, will bear with me—I hope I am not betraying any of the secrets of the Committee room—when I say that often in the course of discussions about the Reforms rules and regulations, about distribution of seats, when we have been quarrelling amongst ourselves, we have been told by him: 'Now the United Provinces are on a higher footing than Bihar and Orissa. They are a presidency government. You cannot claim the same privileges as they can now do in the matter of the distribution of seats; they must have higher privileges, more men,' and so on. That shows it makes a world of difference whether a province is placed on the footing of a presidency government and is a first-class province or on an inferior footing as a second-class one. But there is one thing more. The general practice in these presidency governments is that although members of the Indian Civil Service are not debarred—and I am glad they are not—from being Governors, the practice is that statesmen from the British Isles are sent out to be the Governors of the provinces known as presidencies. When there is a member of the Civil Service of exceptional qualifications deserving the position of a Governor he is called to the office; and I believe that my leader, the Hon'ble Sir Dinshaw Wacha, remembers the administration of Sir Barile Erere in Bombay. Later, a Lieutenant-Governor of Bengal, Bihar and Orissa, the late Sir Richard Temple, assumed the Governorship of Bombay. That shows that there is no bar, legal or conventional, to a member of the Indian Civil Service rising to the position of a Governor of a presidency. At the same time, the practice is that the Secretary of State for India, on behalf of His Majesty, sends out from the United Kingdom men who have taken a prominent part in the public affairs, either as members of Parliament or in other walks of life. Now, as this is perhaps the first occasion on which I find myself in the position of saying anything about the Indian Civil Service, I desire to say unhesitatingly that I am one of those who hold the Indian Civil Service in very high regard, indeed,

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for their great work in this country. I am no detractor of the Indian Civil Service and I do not deny the great work they have done in this country during the last 100 years and more, which has made it possible for us to become a nation and to claim all those privileges which are now ours. But the fact remains that men who work under a system of administration on routine lines—a system which is known popularly as bureaucracy—do not, as a rule, possess that wide outlook on human affairs and that catholicity of temperament which we require in the head of an administration; and it is, therefore, that we have always pressed that the Governors should, as far as possible, be sent out from Britain, as they are generally men of broader outlook and more catholic temperament than are to be found amongst those who work as officials in this country. The great fear of the people of Bihar and Orissa at being placed under a Governor whose pay will be only a lakh of rupees, which is that of the present Lieutenant-Governor, is that the system will be perpetuated of having in Bihar and Orissa Civilian Governors. I hope my suspicions are unfounded and that the gentlemen, who will speak on behalf of the Government, will remove my suspicions. At the same time, even if there was the prospect of Bihar and Orissa having their Governors sent out from England, the fact remains that a Governor even from there on less emoluments will certainly be regarded by the people here as one of an admittedly inferior status. But Bihar and Orissa absolutely decline to accept such an inferior status at the present day. I think they are fully entitled to claim the same administrative status as the United Provinces of Agra and Oudh, and I think the Government have been grossly remiss in their duty towards Bihar and Orissa in not removing them from the second group to the first, that of presidency governments. I think, Sir, I have now sufficiently stated the case, and I will not be justified in trespassing further upon the attention of the Council.

“I hope all our principal Provinces, not only Bihar and Orissa but the Punjab, the Central Provinces, Assam and others will ultimately obtain the higher status of presidency governments. I have no doubt that in due course of time this will come about; but I think in the meantime I am entitled to plead for the Province of Bihar and Orissa. The Government should even now, at this last moment, bring this matter to the notice of Mr. Montagu, so that he may be pleased to have the Second Schedule of the Act amended by changing Bihar and Orissa from the second group of Provinces to the first group of Presidencies. With these words, Sir, I commend my Resolution to the Council.”

The Hon'ble Raja of Kanika:—“Sir, I have very great pleasure in supporting the Resolution so ably moved by my friend the Hon'ble Mr. Sinha. The arguments in support of the Resolution have been so ably placed by my friend before this Council, that I do not desire to deal at any length with them, and I will content myself with one or two observations only. The Province of Bihar and Orissa, Sir, as it is at present constituted, is the most important of the existing Lieutenant-Governorships in India. No other Province under the administration of a Lieutenant-Governor can yet boast of an Executive Council. So that, practically speaking, Bihar and Orissa, though it is the youngest of the Lieutenant-Governorships, at present enjoys a much higher status than the Punjab and even the United Provinces. It is difficult, therefore, to understand what reason there can possibly be for putting Bihar and Orissa in the same category with the Punjab, and for assigning to it a status even lower than that of the United Provinces—as the Second Schedule to the Government of India Act does. Sir, we in Bihar and Orissa had for years been united with Bengal and during all these years we had the advantage of getting the benefits of one of the most advanced administrations in India. Council will remember that that was one of the reasons why Lord Hardinge's Government in their despatch of the 25th August, 1911, proposed to equip our new Province with a High Court and an Executive Council from the very beginning. It is now rather hard upon us

3-2 P.M.

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OF THE GOVERNMENT OF INDIA ACT, 1919, IN REGARD
TO THE POSITION OF BIHAR AND ORISSA.

[*Raja of Kanika; Haji Chaudhuri Muhammad Ismail Khan; Khan Sahib Shah Nawaz Bhutto; Sir William Marris.*] [20TH FEBRUARY, 1920.]

that we should be compelled to take a back seat among the Provinces of India, and it is rather strange that the Government should now forget the principles which it so strenuously urged in 1911. We desire that Bihar and Orissa should be put on the same level with Bengal and the United Provinces as it would be, not only fair to us, but convenient to the Government as well.

"Sir, I cordially support the Resolution."

2-33 P.M.

The Hon'ble Haji Chaudhuri Muhammad Ismail Khan :—

"Sir, I consider the Resolution moved by my Hon'ble friend Mr. Sinha very opportune. In the Second Schedule of the new Government of India Act, it has been provided that the Province of Bihar and Orissa will be constituted as to have a Governor with a maximum annual salary of one lakh of rupees and Members of the Executive Council on sixty thousand rupees a year. In extent of territory, in importance and in possibilities, the Province of Bihar and Orissa stands second to no other Province. And the fact that it has recently been created and carved out of the old and unwieldy Province of Bengal for administrative purposes should not be considered to minimise its importance. Once action is taken in accordance with the provisions of the new Act, it will be neither convenient nor possible to change the settled order of things within a few years. Therefore, my Hon'ble friend has considered it proper to recommend to the Governor General in Council to urge upon the Secretary of State for India the desirability of placing the Province on an improved status from the beginning so that there may be no reason for dissatisfaction among the people and no possibility of inconvenience in the near future."

2-34 P.M.

The Hon'ble Khan Sahib Shah Nawaz Bhutto :—"Sir, I beg to support the Resolution of my Hon'ble friend, Mr. Sinha."

2-35 P.M.

The Hon'ble Sir William Marris :—"Sir, provincial patriotism has been a force which in the past has often worked to the good of India; it is a force which, I believe, can be equally trusted to work usefully in the future. Therefore I make no sort of complaint that his patriotism has led the Hon'ble Member so quickly to raise this question, although from another point of view I feel that the issue is really rather one of a domestic character. Whether the sum of another Rs. 3,000 or Rs. 4,000 per month, to be provided by the revenues of Bihar and Orissa, is really better devoted to augmenting the salaries of a few highly placed personages, than it expended in some alternative manner, such as extending primary education or increasing the salaries of revenue subordinates, is a matter which I should have thought primarily concerned not this Council, but the people who are to find the money; and if there were really any strong case for the Hon'ble Member's proposal it would naturally have come both to the Government of India and the Secretary of State (if the Government of India supported it) with much better authority, if it had secured the backing of the Local Government and of the new Reformed Council behind it; for, I think, the Hon'ble Member can hardly contend that the mischief which his motion seeks to remedy is of so grievous and crushing a character that it could not await the coming of the new constitution."

"The Hon'ble Member gave us an interesting historical retrospect, but I think the chain of argument which he forged was somewhat as follows :—The United Provinces have acquired a presidential status; Bihar and Orissa owing to its past history and its various claims is equally or better entitled to a presidential status. These are the two portions of his argument with which I have to deal, and if I can break either, his conclusion fails. Let me state the Government of India's position towards this question of Governors and their claims and status as briefly as I can. The authors of the report on Indian Constitutional Reforms declared that the common designation of Governors, which they proposed to adopt for all Provinces in future, would not imply

RESOLUTION *RE* AMENDMENT OF THE SECOND SCHEDULE 863
OF THE GOVERNMENT OF INDIA ACT, 1919, IN REGARD
TO THE POSITION OF BIHAR AND ORISSA.

[20TH FEBRUARY, 1920.] [*See William Harris.*]

any equality of status or emoluments, which would continue to be regulated by existing distinctions, which they themselves declared that they found appropriate. In general the Government of India endorsed this conclusion. They proposed to leave the pay of Governors and Members of Council untouched in the presidencies and in the major provinces, and they recommended only augmenting the pay of the new Governors of the Central Provinces and Assam, so as not to leave them any longer behind the level of pay of Members of Council in the presidencies. They saw no reason to level up pay generally; they realised that reforms were in any case costly, and that it was imperative, where possible, to avoid needless expenditure. They observed that elsewhere in the world, in Australia, in the West Indies, and to a remarkable extent in the United States of America, there were Governors living in geographical juxtaposition whose pay varied considerably. They saw no reason why such variation should be undesirable in India.

"The Government of India's view was that the three presidencies were really in a class apart. They had had Governors already for a long time. There was, in the Government of India's judgment, a practical, tangible distinction between a presidency and a province. You may regard the difference in more than one light; you may look at it as the result of history and tradition and recall how the present order of things in India arose from small beginnings when the Governor of each of these three small isolated coastal settlements sat in Council as President, which term gave the name to the territory which he administered; that is a point of view which would appeal to some members of this Council more than to others. You may look at it from another standpoint. I think this point of view is one on which Mr. Banerjee touched in his speech yesterday—that these presidencies are the original metropolitan centres from which in the first place military administration and then civil administration, and then communications, and railways and education, and enlightenment, and political progress—all these things grew, and from the presidencies marched up into the hinterland. That is a memory which I should hope will appeal to every member of this Council, and would persuade him that in these respects the presidencies are unique. But if we turn to the other side and look away from the past to the facts of the present day, it is equally clear, and any unbiassed person will acknowledge that the Presidencies stand in a sense by themselves. We see them as great manufacturing and commercial centres, where enormous business is done, where (or in two of them at all events) great ships come and go, where India, which in all other respects is very much an island, sets her feet upon the highways of the world's trade and opens her eyes to the great external world. This is the distinction which every candid member of Council will appreciate and recognize. These are the reasons for holding that the presidencies are in a real sense apart.

"I do not of course forget the fact of which the Hon'ble Member has reminded us, and very rightly, that in India in the early thirties there was an idea of creating a fourth presidency, and in fact for two brief years the Governors of Bengal, being also the Governors General in Council, administered the territories of the North-Western Provinces as Governors of Agra. But, as he told us, that idea was very soon given up in favour of the alternative scheme of Lieutenant-Governors, which was not only cheaper but felt to be more suitable. It seems to have been perceived at that time that the grand manner of Governors of the old type, with their bands and bodyguards and banqueting-rooms, was not appropriate outside the Georgian atmosphere of the three metropolitan cities. Such at all events, whether right or wrong, was the conclusion to which the Government of India came, and I think any fair observer will agree that in history, precedent, and in actual modern facts, they had solid and substantial grounds for their proposal.

"Their proposal, however, was modified by the Joint Committee upon one point of detail in a way that has opened the door for the Hon'ble Member's motion. The Joint Committee on the Government of India Bill have raised the pay of the Governor of the United Provinces to the level of that of the

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presidency Governors, and now the Hon'ble-Member asks the Council to propose the same benefaction for the Governor of Bihar and Orissa. I know that he is not asking for a personal favour for the Governor, but is only thinking of the honour and glory of his province. I do not know what were the reasons which weighed with the Joint Committee; they have not told us, and they can only be matters of conjecture. I think myself that they may have been moved by the eloquent and earnest representations of some of the members of the delegation, who addressed them in England, who may have dwelt on the dignity and glories of the United Provinces. It would have been easy for them to draw an attractive and moving picture of the province with which I have the honour to be connected. They may have emphasised its character as the sacred middle land of the Sanskrit world, the birthplace of gods and heroes and religions; upon its famous cities, its noble rivers, its many sacred places, its former seats of sovereignty, its political importance as the stronghold not only of Islam in Northern India, but also of an industrious and virile, if not advanced, peasantry.

"I can imagine that arguments such as these may have been so eloquently addressed to the arbiters of our destinies in England as to lead them partially to overlook the differences that weighed with the Government of India—those differences, to which I have referred, as necessarily existing between the presidencies and any other provinces, between the parent and the derivative, the sea board and the land-locked territory.

"But, says the Hon'ble Member, the Joint Committee may say and do what they like: they may disregard the peculiar character of what has hitherto been known as a presidency. He suggests indeed that the Joint Committee have done what was thought of in the thirties: they have actually made an inland province into a presidency by raising the pay of the Governor. But, Sir, that is not at all the case. Nothing of the sort has been done. A presidency remains a presidency; and the United Provinces remain a province. Section 3 of the Act runs:—

'The presidencies of Fort William in Bengal, Fort St. George, and Bombay, and the provinces, known as the United Provinces, etc.'

"What has happened has been that the pay of the Governor and members of this province of the United Provinces of Agra and Oudh has been raised. But it still has a provincial and not a presidency status.

"It is not my concern, however, Sir, to argue that the United Provinces are or are not as Madras or Bombay are; but rather to point out that, whatever opinion is held on that point, Bihar and Orissa cannot claim to stand level with the United Provinces. The Hon'ble Member has driven me to the odious and invidious task of making comparisons. If I do so, it is because they are strictly necessary to my purpose. That flame of provincial patriotism that shows in the Hon'ble Member's breast exists also in cold, official, hearts as well, and there is in close proximity to me in Council a sufficiently strong contingent of official representatives of the province of Bihar and Orissa to impose due discretion upon anything I shall say.

"I will at once concede to the Hon'ble Member the one argument in respect of which he has a technical advantage; it is the fact that Bihar and Orissa have for some years been in possession of an Executive Council. The United Provinces nearly got one in 1915, but the bonign intentions of Lord Hardinge's Government were rendered nugatory in another place. But is this possession of an Executive Council a real hall-mark? Was it not because of its connection with Bengal that Bihar and Orissa got its Council? Would it, if it stood alone in 1908, have got a Governor in Council either then or indeed at any time since, earlier than the United Provinces? The despatch of 1911, which has been so often referred to, described the Biharis—a little unkindly perhaps—as 'unequally yoked' with the Bengalis. The Hon'ble Member told us in another speech that was a connection at which his people had chafed for 150 years! But it is that uneasy connection alone, their

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[20TH FEBRUARY, 1920.] [Sir William Marris; Mr. Saohchidananda Sinha.]

association with metropolitan Calcutta, that the Biharis have to thank for the enjoyment of a more elaborate form of government as compared with the United Provinces. To that extent I trust the Council will discount the Hon'ble Member's attempt to steal a march upon the sister province.

"Now, Sir, if we set aside the fact of the possession of a Council, what other grounds of comparison are there? I suppose that the costliness of a Government must be proportioned to the work which it has to do and the importance and difficulty of its task. That seems a fair proposition. But status and prestige are imponderable things; we cannot resolve them easily into any one or two simple constituent parts. At the same time, we shall probably be led to a sound conclusion if we look round to the various concrete constituents that can be measured. The United Provinces, in the first place, is one and a quarter the size of Bihar and has a population one and one-third as big. Its expenditure is twice as big, and its revenue more than twice. Moreover, the work to be done can be practically gauged from the staff. Bihar has three civil Secretaries: the United Provinces has four. The United Provinces has 43 districts, and Bihar has 29. The United Provinces has ten divisions as compared with five. Its superior administrative service is twice as big: its provincial service 50 per cent. bigger. It has six times as many towns (if we include quite small ones) and twice as many municipalities and eighteen times as many cantonments. It has four times the number of European and Anglo-Indian inhabitants. It has seven cities over a lakh as compared with one, and five cities over 1½ lakhs compared with none. If we turn to another side of progress and advance, we find that it has nineteen colleges as compared with seven, and 179 high schools as compared with 118. It has between three and four times the number of factories. So much for the more amiable aspect of things.

"I regret, Sir, to add that the United Provinces' prominence is not wholly of a virtuous nature. It returns twice as much crime as the comparatively blameless province to which the Hon'ble Member belongs. Well, Sir, I have given the Council a few facts readily ascertainable. I might have gone into much more detail if it had been necessary, but I trust that these will suffice to carry conviction. The case for the Government is very simple. We want to avoid unnecessary expense. We do not admit for one moment the argument that the figure representing the Governor's pay connotes or affects in any way the question of recruitment of the Governors of the future. I may say, Sir, that the Government of India at present have no knowledge whatever of His Majesty's intentions, as far as I know, regarding such appointments, and I believe that the question of Rs. 2,000 and odd a month cannot weigh one way or the other in considering the question of the selection of future Governors. The Hon'ble gentleman has argued that the status of Bihar and Orissa should be made equal to the status of a presidency like the United Provinces, but, in the first place, the United Provinces are not a presidency, and secondly, the Government of India do not think that the conditions of Bihar and Orissa are comparable to those of the United Provinces. Therefore, they are constrained to regard this proposal as premature, expensive and unnecessary; and they cannot, therefore, invite the Council to support the Resolution."

The Hon'ble Mr. Saohchidananda Sinha:—"Sir, the very fact that the Hon'ble Sir William Marris has had to attempt a prolonged and laboured refutation of my arguments—invoking, he, a pious Christian, all my Hindu Gods, the holy rivers, the sacred trees, the beautiful mountains and God knows what besides—shows that he has really got a very weak case. He enumerated for my edification a large number of facts showing that the United Provinces deserve a higher form of administration than Bihar and Orissa. I am sure I had not betrayed in my opening speech the least jealousy of the United Provinces of Agra and Oudh, and therefore all that elaborate argument was, if I may say so, beside the point. The patent fact is, that whatever else the United Provinces may or may not have in the way of ten Commissionerhips and forty-eight districts or so many schools and Colleges and things of that kind,

3 55 P.M.

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the Hon'ble Sir William Marris is himself here from the United Provinces and naturally puts the case of his province as high as he can. That is quite understandable. But, I submit, that invidious comparison is not a fair way of dealing with the proposition which I have laid before the Council. Again, there may be 48 districts in the United Provinces, but the districts may be smaller in area than those of Bihar and Orissa. Their population may be less or may be more. These are, therefore, no criteria at all in considering a proposition like the one I have placed before the Council. If I too entered upon a historical sketch of the glories of Bihar, I think I could go on till the small hours of the morning, but my Hon'ble friend, Sir William Marris, has undoubtedly read the *Early History of India* by Vincent Smith, establishing that of all the provinces in India Bihar is the one where the political history of India really began, and if he will re-read Sir Edward Gait's Census Reports, he will find that it is Bihar which was for many centuries the most historic and the most important part of India. But I never mentioned a word about these matters in my opening speech, since I maintain that my case is much stronger on the merits than by placing it on historical considerations. We are discussing the question whether there was any practical justification for keeping Bihar and Orissa in the status of a province under a glorified Lieutenant-Governor, and I must confess that the Hon'ble Sir William Marris has not at all, by his invidious comparisons, succeeded in convincing me to modify my convictions on which I brought forward this Resolution. The only serious point which he has urged before the Council is by inviting our attention to section 3 of the Government of India Act to show that the United Provinces have not been granted a Presidency Government technically, because in clause (2) of section 3 of the Act it is laid down that the United Provinces will also be regarded like the Punjab, Bihar and Orissa, the Central Provinces and Assam, as a province. I quite appreciate that. I had that in my mind. But he will concede, I hope, that although technically Agra and Oudh may continue to be called a province and not a Presidency, yet to all intents and purposes they are a presidency; and if I may be permitted to say something here, everyday in the Reform Committee my friend the Hon'ble Sir William Marris himself says to me: "Oh, you cannot place Bihar and Orissa on the same level as the United Provinces which have a Presidency Government"

The Hon'ble Sir William Marris:—"I do not think I have said so."

The Hon'ble Mr. Sachchidananda Sinha:—"That is how I have understood him to say each time. It seems to me very hard that when I urge that the conditions in Bihar and Orissa are in all respects similar to those of the United Provinces, it should be said 'Oh, Bihar is a mere province,' but when it suits his purposes, he says that Agra and Oudh are a presidency!"

"Sir, I am gratified to learn that at present there is no distinct indication as to what His Majesty's Government will do in the matter of recruitment of Governors in Bihar and Orissa, and I hope that if this discussion to-day will lead to no other result, it will at least do this, that when the papers reach His Majesty's Secretary of State, he will appreciate our difficulties in Bihar and Orissa and he will encourage our desire that we should also have the benefit of having from England Governors like the other presidencies. But when the pay of the Bihar Governor is raised to that of the Governors of Madras, Bengal and Bombay, there will be a greater chance of Bihar and Orissa getting out from England men who are in public life, and the status of the province will naturally be improved. I think that the Hon'ble Sir William Marris, in spite of delivering a conciliatory speech—I quite appreciate the spirit of it but not its substance—has not succeeded in convincing me. I, therefore, feel that I should ask that the vote of this Council should be recorded in this particular matter."

The motion was put and declared negatived.

RESOLUTION *RE* AMENDMENT OF THE SECOND SCHEDULE 867
OF THE GOVERNMENT OF INDIA ACT, 1919, IN REGARD
TO THE POSITION OF BIHAR AND ORISSA.

[20TH FEBRUARY, 1920.] [Mr. Sachchidananda Sinha; The Vice-President.]

The Hon'ble Mr. Sachchidananda Sinha:—"I want a division, Sir."

The Vice-President:—"Does the Hon'ble Member wish to press for a division?"

The Hon'ble Mr. Sachchidananda Sinha:—"I think, Sir, this is an important matter, and I would like to know how I stand in this matter on a division being taken."

The Council divided as follows :—

<i>Ayes—13.</i>	<i>Noes—39.</i>
The Hon'ble Mr. S. Sastri.	His Excellency the Commander-in-Chief.
" Mr. B. N. Sarma.	The Hon'ble Sir Claude Hill.
" Mir Asad Ali, Khan Bahadur.	" Sir George Lowndes.
" Mr. E. H. Jaffer.	" Sir George Barnes.
" Sir Fazalbhoy Currimbhoy.	" Sir William Vincent.
" Raja Sir Rampal Singh.	" Mr. Shaff.
" Nawab Ali Chaudhuri, Khan Bahadur.	" Mr. W. M. Hailey.
" Mr. S. Sinha.	" Sir Arthur Anderson.
" Raja of Kanika.	" Sir Thomas Holland.
" Chanduri Muhammed Ismail Khan.	" Mr. W. E. Cram.
" Khan Sahib Shah Nawaz Bhutto.	" Mr. C. F. de la Fosse.
" Mr. K. K. Chanda.	" Mr. E. M. Cook.
" Babu S. N. Banerjea.	" Mr. H. Sharp.
	" Mr. H. McPherson.
	" Mr. A. H. Lay.
	" Sir William Morris.
	" Mr. R. A. Mant.
	" Maj.-Genl. Sir Alfred Bingley.
	" Mr. B. Burdon.
	" Sir Sidney Crookshank.
	" Mr. H. R. C. Dolbe.
	" Sir John Wood.
	" Surgeon-Genl. W. R. Edwards.
	" R. B. L. M. Chatterjee.
	" Mr. C. E. Clarke.
	" Mr. H. Moncrieff-Smith.
	" Mr. A. P. Muddiman.
	" Mr. O. A. Barron.
	" Mr. N. E. Marjoribanks.
	" Mr. K. C. De.
	" Mr. L. F. Morshead.
	" Mr. C. A. Kincaid.
	" Mr. P. J. G. Pison.
	" Mr. H. A. Casson.
	" Mr. A. E. Nelson.
	" Rai Sahib Seth Nath Mal.
	" Mr. Mr. B. C. Allen.
	" Mr. G. F. S. Christie.

The Resolution was therefore rejected.

The Council then adjourned till Monday, the 23rd February, 1920, at 11 o'clock.

A. P. MUDDIMAN,

Secretary to the Government of India,
Legislative Department

DELHI:

The 1st March 1920.