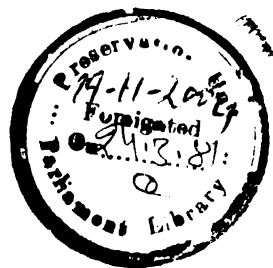


THE  
**COUNCIL OF STATE DEBATES**  
(OFFICIAL REPORT)  
**VOLUME I, 1928**

*(1st February 1928 to 22nd March 1928)*

**FOURTH SESSION**  
OF THE  
**SECOND COUNCIL OF STATE, 1928**



CALCUTTA : GOVERNMENT OF INDIA  
CENTRAL PUBLICATION BRANCH  
1928

**Tuesday, 14th February, 1928—**

Indian Securities (Amendment) Bill—Introduced	...	103
Chittagong Port (Amendment) Bill—Referred to Select Committee	...	103-05

**Wednesday, 15th February, 1928—**

Resolution <i>re</i> Unemployment of the educated and other middle classes—Negatived	...	107-25
Resolution <i>re</i> Eligibility of High Court Pleaders for the office of Chief Justice of a High Court—Withdrawn	...	125-28

**Thursday, 16th February, 1928—**

Burma Salt (Amendment) Bill—Passed	...	129-30
Statement of Business	...	130-31

**Monday, 20th February, 1928—**

Member Sworn	...	133
Questions and Answers	...	133-39
The Railway Budget for 1928-29	...	139-47

**Tuesday, 21st February, 1928—**

Bill passed by the Legislative Assembly laid on the Table	...	149
Election of a Panel for the Standing Committee on Emigration	...	149
Indian Securities (Amendment) Bill—Passed	...	150

**Wednesday, 22nd February, 1928—**

Bill passed by the Legislative Assembly laid on the Table	...	151
Resolution <i>re</i> the Statutory Commission—Adopted, as amended	...	151-213
Unveiling of the portrait of Lord Reading	...	184

**Thursday, 23rd February, 1928—**

General Discussion of the Railway Budget	...	215-244
Election of a Panel for the Standing Committee on Emigration	...	244
Statement of Business	...	245

**Monday, 27th February, 1928—**

Member Sworn	...	247
Questions and Answers	...	247-48
Election of a Panel for the Standing Committee on Emigration	...	248
Resolution <i>re</i> Establishment of a Central College of Railway Engineering—Negatived	...	248-60
Chittagong Port (Amendment) Bill—Presentation of the Report of the Select Committee	...	261

**Wednesday, 29th February, 1928—**

Questions and Answers	...	263-69
The Budget for 1928-29	...	269-76
Statement of Business	...	277

# COUNCIL OF STATE.

*Wednesday, 22nd February, 1928.*

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

## BILL PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

SECRETARY OF THE COUNCIL: Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table copies of a Bill further to amend the Inland Bonded Warehouses Act, 1896, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 21st February, 1928.

## RESOLUTION RE. THE STATUTORY COMMISSION.

THE HONOURABLE SIR SANKARAN NAIR (Madras : Non-Muhammadian) : Sir, in the agenda there is a Resolution following mine by the Honourable Mr. Desika Chari, which is more comprehensive than mine and deals with the same subject. I would therefore request you, Sir, to call upon the Honourable Mr. Chari to move his Resolution as I do not propose to move the one standing in my name. I shall withdraw the Resolution standing in my name.

THE HONOURABLE THE PRESIDENT: Then I understand the Honourable Member withdraws his Resolution?

THE HONOURABLE SIR SANKARAN NAIR: Yes, Sir.

THE HONOURABLE MR. P. C. DESIKA CHARI (Burma : General): Sir, I beg to move the Resolution which stands in my name and which runs as follows:

"This Council recommends to the Governor General in Council to urge upon His Majesty's Government in connection with the Royal Commission on Reforms—

- (1) to form a Committee from among the members of the Central Legislature, with authority to—
  - (a) carry on the preliminary work and to collect the materials to be placed before the Royal Commission;
  - (b) co-operate with the Royal Commission in examining all the witnesses in all the provinces;
  - (c) have access to all the records that may be placed before the Commission;
  - (d) review and supplement such evidence by requiring other witnesses to be examined and other records to be sent for; and
  - (e) report to the Central Legislature;
- (2) to place the Report of the Committee before Parliament for consideration along with the Report of the Royal Commission."

**THE HONOURABLE MR. RAMADAS PANTULU** (Madras : Non-Muhamadan) : Sir, I beg to rise to a point of order. The Resolution moved by my Honourable friend Mr. Chari is, to my mind, subject to two fatal objections. First of all, the Honourable Member asks this Council to recommend to the Governor General in Council to urge on His Majesty's Government in England to do certain things, like the appointment of a Committee of the Central Legislature of India. It is not for His Majesty's Government to form a Committee of our Central Legislature. Mr Chari is asking for a thing which, to my mind, is impossible, and subject to your ruling, Sir, I submit that a Resolution asking for an impossible thing is not in order.

Secondly, Sir, he asks for a Committee from among the Members of the Central Legislature. Now, this House is aware that the Legislative Assembly decided by 68 to 62 votes not to co-operate with the Royal Commission in any manner. That Resolution bars further steps for the formation of any Committee of the Central Legislature, as a whole, to co-operate with the Royal Commission. As the scheme of my Honourable friend Mr. Chari's Resolution contemplates the constitution of such a Committee, I submit it is out of order. Sir, I therefore submit these points for your decision.

**THE HONOURABLE THE PRESIDENT** : I have, in the first place, to thank the Honourable Member for his courtesy in giving me timely warning that he proposed to raise this point of order. *Prima facie*, perhaps there is some force in the remarks that he has made, but I think the answer to the points raised by him is not very far to seek.

His first point is that the Resolution recommends to the Governor General in Council to urge upon His Majesty's Government to do something that His Majesty's Government cannot do. That, I must confess, when I first saw the Resolution, struck me as somewhat surprising, but I do not see how I am able to hold that it is out of order. The admissibility of a Resolution is governed by the Rules and the Standing Orders of the House, and I find nothing in the Rules or the Standing Orders which prevents a Resolution being moved in that form. Anyhow, I think the Honourable Member's difficulty will be solved when, as I understand, the Honourable Sir Maneckji Dadabhoy moves the amendment which stands in his name on the paper. That asks the Government of India to take certain steps which are certainly within the power of the Government of India.

The Honourable Member's second point is that, inasmuch as certain action has been taken in another place, this House is barred from proceeding with the subject-matter of this Resolution. In other words, because one Chamber of the Legislature has passed a decision in favour of non-co-operation with the Indian Statutory Commission in connection with a Joint Committee of the two Houses, therefore this House is barred from considering the matter further. Of course, the answer to that is very simple. As I have explained to the House on more than one occasion, neither Chamber of the Indian Legislature is in any way bound by action taken by the other Chamber, whether the matter under discussion be a Bill or whether it be a Resolution. Each Chamber is entitled to its own opinion. The second answer to the Honourable Member's point is that a Resolution carried in either Chamber is no more than a recommendation to the Government of India. The other House has recommended to the Government of India that it should take no steps. That is a recommendation which the Government of India can follow or not as it chooses, but it is no more a bar to the Government of India taking steps to appoint a Joint Committee than a Resolution carried in the terms say of the Honourable

Sir Maneckji Dadabhoi's amendment would compel the Government of India to take steps to appoint a Joint Committee.

There is one further point, and that is, that I notice Sir Maneckji Dadabhoi's amendment confines itself to an election of a quota of Members from this House only. I think, therefore, that the Honourable Member's points of order fail and that the discussion should proceed on the Resolution moved by the Honourable Mr. Desika Chari which is as follows :

" This Council recommends to the Governor General in Council to urge upon His Majesty's Government in connection with the Royal Commission on Reforms—

- (1) to form a Committee from among the members of the Central Legislature, with authority to—
  - (a) carry on the preliminary work and to collect the materials to be placed before the Royal Commission ;
  - (b) co-operate with the Royal Commission in examining all the witnesses in all the provinces ;
  - (c) have access to all the records that may be placed before the Commission ;
  - (d) review and supplement such evidence by requiring other witnesses to be examined and other records to be sent for ; and
  - (e) report to the Central Legislature :
- (2) to place the Report of the Committee before Parliament for consideration along with the Report of the Royal Commission."

**THE HONOURABLE MR. P. C. DESIKA CHARI :** Sir, I shall briefly explain the reasons which prompted me to table this Resolution. As Honourable Members are all aware, India, or at any rate the vocal section of it who have enormous influence in the country, has been divided into two hostile camps with views diametrically opposed to each other. Both of them have the same objective and in pursuing that objective they have come to the parting of the ways. Sir, I do not for a moment deny the sincerity of views of people on both sides and no sensible or reasonable man would impute motives to people belonging to either side. Sir, there is a turning point in the history of nations as of individuals, and India has come to the point of the cross roads and it is the duty of everyone to take a definite line of action and not merely to sit on the fence. This line of action is taken from different view points by people. Some would prefer the sentimental or the emotional point of view to the rational point of view. Some would have the logical rather than the psychological aspect of things. Others, on the other hand, would like the practical as opposed to the ideal aspect of things. Sir, I am for viewing these things from a practical point of view keeping closely to the psychological aspect of things. The verdict, the counsel of despair, given by the other House by their decision, did not and does not appeal to me. The decision in favour of non-co-operation which the vote of the other House means is against my religious principles as contained in the Bhagavad Gita. There is a mandate in the Bhagavad Gita which declares in no unmistakable terms : " In action lies our privilege," and it enjoins upon us the necessity of doing our duty irrespective of consequences and sticking to our post of duty. Sir, taking this as my guide, I propose to examine our constitutional position with a practical aim. What is our constitutional position ? Before I come to that, Sir, I would like to say that history tells us that there are only two ways of achieving our objects, and our object, the object of every Indian is to do his utmost to secure for India that place which every nation is entitled to as of right to have absolute control of governmental and national activities. Sir, there are only two ways of achieving this object.

[Mr. Desika Chari]

One is revolution and the other is evolution. Without going into the moral aspect of it, I say without any fear of contradiction that revolution as a practical proposition is out of the question, circumstanced as we are. There is only the other alternative, orderly evolution, which is left to us to attain our objects. That being so, we have to examine closely the avenues which are left to us to follow that orderly evolution. This naturally brings me to the Preamble of the Government of India Act, which has been a battle-ground ever since the Act was on the Legislative anvil. No doubt, the Preamble offends against the principle of self-determination in the abstract, but I find the British statesmen who were responsible for the Government of India Act have been careful enough to concede the principle of self-determination to some extent. No doubt Parliament has got the ultimate right to decide, but they say they will decide only with the guidance and intelligent co-operation of Indians. Sir, we have to face facts and not go on theorising. All sections in the country, including the Swarajists, are agreed I believe that the only way to secure our national liberty is by Parliament setting the seal of approval on an Act liberating the Indian people. That being so, is it not our duty, our patriotic duty, to do our utmost to convince Parliament that it is high time that we should have our due? Is it not our duty to explore all avenues to see that we make the best of the situation to influence Parliament and try to examine the avenues of self-expression open to us as given by the scheme which we have? Sir, I want to face the real issue. The issue is one of co-operation or non-co-operation, and if you admit that unless you convince Parliament you cannot help forward this process of evolution, then I say by advocating non-co-operation you are standing in the path of the progress of this country. That is my position. Sir, having this in mind we have to see how best we can take advantage of this provision. Sir, there is one thing. My friend Mr. Ramadas Pantulu has been referring to the verdict in another place. I have been closely following the proceedings in the other place. I sat there with rapt attention and admiration hearing the impassioned eloquence of our leaders. And what does that show? I have been thinking hard of the line of action which would best serve to further the interests of our country, taking all these things which our leaders have said in the other place. The verdict of the other place would seem to indicate something different from what it really is, but if you go into the reasons which prompted the leaders of three out of the four great groups which constituted the majority in the other place, I say these reasonings considerably help those people who like me are interested in taking a distinct line of action towards co-operation. Sir, Pandit Malaviyaji in his speech referred to the article which he wrote immediately after the announcement of the Statutory Commission in which he pointed out certain conditions on which he was willing to co-operate. He said, Sir, that the framing of the constitution of India should be left in Indian hands. He referred to the Despatch of 1833, the Proclamation of 1858, the speech of Sir Charles Wood in 1861, and the war speeches of British statesmen and, lastly, to the membership of the League of Nations. What do all these indicate? They indicate that, in spite of the difficulties, equality of status for India has been recognised and British statesmen have been willingly or unwillingly forced to admit equality of status. That being the case, I am full of hopes that if you only do not give way to despair and press forward your claims for equality of status for the Indian Committee, I am sure you will succeed in the long run.

Then, coming to the speeches of the leaders of the two other groups, what does Mr. Jayakar say? He says that if only Sir John will meet the Indian Committee on equal terms he has no objection to co-operation. He is no

quite anxious that Indians should be on the Commission itself. He is for substance and not for form. Mr. Jinnah also said that he is quite willing to have the Indian Committee provided it has got equal status and equal opportunities. Sir, having said all that, I am sorry that they did not press onward but gave way to despair and decided to join in the pursuit of non-co-operation. Sir, I am guided by the reasoning that these Honourable gentlemen gave in the other place, and that makes me more than ever convinced that our right course is to pursue the road of action, the road of co-operation, and press forward our claims, and I hope that before long all those facilities, all those rights which would indicate equality of status will be given to the Indian Committee. It is with this object that I have tabled this Resolution and I will deal with it item by item.

I first want that this Committee should be formed from among the Members of the Central Legislature with authority to carry on the preliminary work and to collect the materials to be placed before the Royal Commission. Honourable gentlemen are all aware that the Statutory Commission has already started its work after they came out to India, and I believe the officials are helping them to collect materials. Some people may regard this as a very unimportant item, but I attach very great importance to it. In this connection I would beg the leave of the House to refer to the statement of Lord Birkenhead contained on page 23 of the Parliamentary Debates relating to the Commission. He says :

"It is contemplated that they (the Indian Committee) shall prepare in advance of the arrival of the Commission if they find themselves able to do it this next cold weather and, if they find themselves within that limited period unable to do it, a year later, their own proposals and come before the Commission and say : 'These are our suggestions'."

It is contemplated that the Indian Committee ought to function straightaway and that they should be in a position to state what their proposals are. That being so, it is necessary and essential that they should have the right to collect materials and to form their own basis for future discussion and place those materials before the Joint Conference. It is not enough that the Royal Commission alone does it with the help of officials and it would focus attention on these points if only the Indian Committee begins to function very soon and if it is in a position to collect the materials necessary to put forward the Indian view point. It will be all the easier to focus attention on these essentials which we Indians want to be carried out as a result of the deliberations of the Joint Conference.

I do not think it is necessary for me to labour this point any further and I shall proceed to the next item, *i.e.*,

"to co-operate with the Royal Commission in examining all the witnesses in all the provinces."

Sir, after going through the letter of Sir John Simon detailing the procedure some of us in this House had some difficulty and some doubts. We thought from the wording of that letter that it was not intended that all the members of the Indian wing would be entitled to go to the provinces when provincial subjects were being discussed. In order that this Committee may be in a position to report at the end of the deliberations, it is necessary that they should have all the evidence in regard to the provinces placed before them. In the letter to Sir Sankaran Nair, dated the 10th February, I think the position has been cleared, but still there seems to be some doubt in the minds of some people that all that we ask for has not been conceded. It is this way. We want every member of the Indian wing to be entitled as of right not only to be present but also to take part in the Joint Conference as effectively as any member of the Commission. If, as I am told by some people, this right

[Mr. Desika Chari.]

has been conceded, then there is no harm in accepting that portion of my Resolution. I fit has not been conceded, then it is necessary—it is a vital point to accept this part of the Resolution—to enable the Committee to function.

The next item is,

“to have access to all the records that may be placed before the Commission and to review and supplement such evidence by requiring other witnesses to be examined and other records to be sent for.”

Sir, these are powers which are necessary to a Committee to arrive at conclusions if they act separately, and without these powers the Indian wing would be only a mere adjunct. They must be entitled as of right as any member of the Commission to call for any records which they want and to require any witnesses to be examined. Sir, I would refer to the last paragraph of the letter to Sir Sankaran Nair which deals with this question :

“We shall of course desire to hear evidence from all important points of view, including the view which the Indian wing wishes to be brought before us.”

Sir, it is not specific. I believe that expresses the substance of what we want and if it does not, we must be careful to put forward that the Committee ought to have these powers.

We next come to clause (e) of the Resolution, that is, reporting to the Central Legislature. This is a function which I value more than any other function. Sir, with reference to the second point, I did not deal with the camera evidence on which Sir John Simon insists on rare occasions. It comes in with reference to clause (b),

“to co-operate with the Royal Commission in examining all the witnesses in all the provinces.”

Sir, I find on page 2 of the letter of Sir John Simon that he says :

“Some of us have had considerable experience of the method of Joint Conference as applied both to industrial and political questions and it is quite clear to us that each side of the Conference will require, from time to time, to meet by itself.”

Sir, I think that so far as the Indian Committee is concerned, it would not require any separate sitting, and if this is a privilege, the Indian Committee will have no occasion to use this as a privilege. Apart from that it has got serious political implications, and Sir John Simon lower down says :

“If a case arises when this general plan cannot be followed, I should make no secret of it, and should ask my colleagues in the Joint Free Conference, when, as I hope, they learn to have faith in my sense of fairness, to accept from me such account of the matter as I can give them on behalf of the Commission, with due regard to the reason why the testimony has been separately received. I imagine that the Indian side may find occasions when they would think it well to act in the same way.”

He merely imagines that, and I believe that imagination will have no scope in practice so far as the Indian wing is concerned. I object to this separate sitting and secret evidence in camera being taken, not because I think there is an element of inferiority so far as Indians are concerned—no doubt it shows a certain element of distrust of the Indian people, but personally I attach no importance to this objection to camera evidence—but because it is regarded as a very vital matter, as a question of dignity, as a question of self-respect, and that being the view of the vast majority of my countrymen I think it is necessary to remove that objection on account of the political implications involved in it. I think that the disadvantage of this camera evidence is creating so much political tension that the advantage of removing it by not sitting



separately would be that you can create an atmosphere in the country which will be more favourable for co-operation and for joint deliberation. It is on that account that I do appeal that some steps should be taken to see that there are no separate sittings and that no evidence is taken in camera to the exclusion of the Indian wing. I have no objection to the camera evidence being taken by the Conference as a whole. But if camera evidence is insisted on as proposed, then it would directly support those non-co-operators by placing in their hands a very powerful weapon. I put a simple question to Government and it is this. Are you for co-operation or for non-co-operation? Are you interested in strengthening the hands of co-operators or the hands of non-co-operators? If you want to strengthen the hands of co-operators I appeal to you to take some definite action to see that camera evidence and separate sittings are not insisted on. If you want to strengthen the hands of non-co-operators, then by all means insist on this camera evidence. Personally I do not attach any importance to it except the political implication which is important. It is only on the ground of expediency that I want these separate sittings and camera evidence to go.

As regards the report to the Central Legislature, the right to report and to place it before the Parliament has been, more than anything else, the deciding factor in my coming to a decision as regards the desirability that the Indian Committee should co-operate with the Commission. Whether you have those powers or not, if only the Indian wing can make a report, and a proper report, and submit it to the Legislature for discussion and then place it before the Parliament, then we will have gained a good deal in impressing on the Parliament the desirability of a substantial advance as desired by us. Let us come to clause (2) which says,

“to place the report of the Committee before Parliament for consideration along with the report of the Royal Commission.”

I am not asking that the report may be despatched by post or a cablegram be sent containing what the Report says. I am anxious that you should hit upon a device whereby the Indian Report as well as the Commission's Report may be given a fair hearing and discussion before their recommendations are embodied in a Bill, and it is not difficult to devise some means whereby the members of the Indian wing as well as the members of the Commission may be brought together to set forth their various points of difference so that they can be settled before the Bill is drafted. That is what I mean by clause (2) of my Resolution. In this connection I cannot refrain from making one passing remark and that is this. I wonder how the statesmen who form His Majesty's Government let slip this opportunity of their lives of winning the hearts of the Indian people by adding a clause at the end of the Royal Warrant that the Indian Committee may also join the members of the Commission in making a report. After all, what is the objection? If British statesmen stand upon a constitutional propriety, then I say they are allowing constitutional propriety to override the dictates of political sagacity. I shall leave it at that. I am sorry that so far Government have not yet come out and that they are still sitting on the fence without taking any action. They must have been aware of the intentions of Parliament to create a Committee as early as possible so that it might start on its business before the Royal Commission came out to India, and even after the matter has been debated in the other place the Government have not come out with any concrete proposals. They have not stated what they propose to do. Of course, I know very well they are anxious to help us in forming the Committee, but if they are so, their attitude now is merely passive and they sit with folded hands to see the fun, saying “The Chairman

[Mr. Desika Chari.]

of the Commission has come out and sent a letter to the Viceroy. We shall see what the Legislatures do." Are the Government to remain passive like this? Should they not come out and say, "You do form a Committee and these are the powers and functions of the Committee." Sir John Simon's Commission cannot give powers to the Committee; that can only be done by His Majesty's Government or by the Government of India with the concurrence of the Legislature. The Government of India have got their duty towards the Commission and the Legislature. Have they discharged their duty, or are they still contemplating the desirability of beginning to think of bringing about a Committee of the Indian wing so that it may collaborate with the Parliamentary Commission? They must come out and define the powers of the Committee. It will not do for them to take up a vacillating attitude without declaring what they propose doing. It is for them to set the ball rolling. They must have made up their minds by this time as to co-operation or non-co-operation, at least the Government of India must know their own mind whether they are going to co-operate or not. If they are for co-operation, as I am sure they are, it is their duty to do whatever lies in their power to see that those who are for co-operation are helped. Sir, by my Resolution I am only urging upon the Government of India to keep the door open. I am glad that the Honourable the Home Member is present here to-day. From the Council gallery in the other House I heard him say that if only Mr. Jayakar had held on and had not yielded to pressure he would have succeeded. His advice was to hold on in the march so that he may find that after all he would succeed. Of course, the Government of India cannot speak with two minds, one in the other place and one in this House, and if really they are anxious that the door should be kept open, I am asking them to submit our recommendation to His Majesty's Government, so that all that was asked for by Mr. Jayakar may be conceded. I am only asking that the door may not be shut. On the one hand, we find that the Swarajists are intent upon closing the door of co-operation....

**THE HONOURABLE RAJA NAWAB ALI KHAN** (United Provinces : Nominated Non-official): Will the Honourable Member make his own position clear to the House?

**THE HONOURABLE MR. P. C. DESIKA CHARI**: I will make my position quite clear by stating that I commit the House by my Resolution to definite co-operation on certain lines. I do not like the policy of sitting on the fence. I only want that in order that the hands of the co-operators may be strengthened, the Government should do all in their power to strengthen the hands of the co-operators by keeping the door open to allow people who may otherwise be misguided to join us and take this road to co-operation. It is for this purpose that I have laid down specifically those functions which any Committee, if it is to carry out the intentions of the people and of Parliament, should have. I am not asking for anything more. There is nothing extraordinary about it. This matter has been before the Government for a long time, and I hope and trust that they will not smash us by keeping us wedged between the Government and Swarajists who are distinctly against co-operation. If only the Government would help us, and if they will assure us that they will do all that lies in their power to help us, the political tension would be relieved. All that I am asking the Government is that they should forward the decision of this Council embodying these particular powers for the Committee to His Majesty's Government. If they do it, and if they will be good enough to urge on His Majesty's Government to concede to us all these powers—if they think they have got all these powers they can give to us now, but if not, I

ask that the Government should forward the decision of this House in regard to this matter to His Majesty's Government—the door would be kept open. I am only interested in marching forward. Sir, under no circumstances are we willing to take up an attitude of non-co-operation. It is unfortunate that in the other place the three parties joined the Swarajists. But though we are exhausted, though we are feeble, we are still prepared to go forward on the road to co-operation, and I only want the Government to do all that lies in their power to help us in so marching forward.

Sir, I submit my Resolution puts forward the minimum demands, it asks for the minimum power which a Committee ought to have to function properly and to carry out the purposes for which it may be created. I am thankful to you, Sir, because you have made it quite clear that we are not precluded from asking for the formation of a Committee, because the other House by a majority decided against it. We are only recommending to the Governor General in Council to take a course committing this House to co-operate on certain lines, and it is for you, the Treasury Benches, to help us co-operators or the Swarajists the non-co-operators; it is for you to decide. Upon the attitude which the Government take in this matter the issue of co-operation and the respective strength of co-operation and non-co-operation will depend.

Before I conclude, Sir, I should like to urge upon this House the desirability of taking some effective steps to help forward co-operation. I happened to read in Reuter's telegram the view of a Paris Daily which deals with the attitude of the Indian people in this matter. This is what the telegram says :

"The *Temps* declares in a leader that the manner in which Indians oppose the British power leads to doubt whether Indians are really ready conscientiously to assume responsibilities which Britain has promised, namely, self-government within the Empire."

It concludes by saying that—

"Nationalists' hostility to the Statutory Commission is not calculated to induce Britain to place confidence in those who claim future direction of affairs of independent India."

I will only ask the House to see how our attitude towards co-operation or non-co-operation is being judged by impartial observers outside India. If we pursue the policy of non-co-operation there is the view of an independent onlooker who says that we are not fit for self-government. They are not interested in saying so, because they have no personal interest. Therefore, Sir, it is necessary for us to take a line of action which would give us in our struggle for liberty the sympathy and support of other nations. I therefore urge that we should do something to promote co-operation, and my personal view is that, unless you form a proper Committee with proper powers and remove those embarrassing restrictions, non-co-operation will progress and co-operators will not get any support. With these few words I commend this Resolution to the House.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-official) : Sir, I beg to move the following amendment to the Resolution of my Honourable friend Mr. Desika Chari, namely :

"That for the words 'urge upon His Majesty's Government' to the end the following be substituted, namely :

'take steps for the election of representatives from the Council of State to participate in the joint conference according to the procedure set out by the Chairman of the Indian Statutory Commission in his letter of the 6th of February 1928 addressed to His Excellency the Viceroy and Governor General, and his letter dated the 10th February to the Honourable Sir Sankaran Nair'."

[Sir Maneckji Dadabhoy.]

Sir, I congratulate my Honourable friend Mr. Chari on the moderation and effectiveness with which he has placed his Resolution before the House. I have moved this amendment at this early stage in order to reach with him a substantial measure of agreement and with some of the conflicting interests in this House. Both he and I desire one end, that is co-operation with the Statutory Commission. In his Resolution he has prescribed certain conditions. I think it is prudent and advisable that we may at once begin our co-operation with the Statutory Commission by the appointment of representatives from this House and leave the further questions of details as regards the method and manner of working and how to influence our position on the Statutory Commission to a later date, when we shall have the privilege of sitting and confabulating with that body. With this difference I am certain that the Council will feel that there is no substantial disagreement between me and the Honourable Mr. Chari.

The unfortunate position is this, that, owing to the appointment of the Commission on which no Indians have been appointed, there has been aroused a great deal of indignation in this country and there has been a persistent and widespread refusal to co-operate with the Commission. I must at once make the matter clear by saying that I sympathise with the other side to a certain extent when they say that representative Indians have been excluded from the consideration of important problems and from the framing of a constitution which prescribes and solves the destiny of India. So far I extend to them my sympathy. But we have to look as practical men to what has preceded 8 years ago, and we must accept the judgment with equanimity, with firmness, and also with a desire to co-operate with the Commission at this stage. I must say that the misapprehension was not only created here, but also in England, because, when Lord Birkenhead delivered his historical speech, unfortunately His Lordship made a statement which to my mind is not absolutely correct...

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY (East Bengal : Non-Muhammadian) : On a point of order, Sir. May I submit, Sir, that the amendment sought to be introduced by the Honourable Sir Maneckji Dadabhoy is not an amendment at all because it takes away the whole of the Resolution, leaving only the words : " This Council recommends to the Governor General in Council to ".

THE HONOURABLE SIR MANECKJI DADABHOY : It is too late. Where was the Honourable Member sleeping all this time ?

THE HONOURABLE THE PRESIDENT : Order, order. The Honourable Sir Maneckji Dadabhoy's amendment is quite in order. It must be within the Honourable Member's recollection that a Resolution is frequently by way of amendment substituted for another in this House. All he does is to preserve the words of the preamble of the Resolution : " This Council recommends to the Governor General in Council ". That is the ordinary way of amending a Resolution where some considerable change of substance has to be made in the wording of a Resolution.

At the same time, as the Honourable Member has given me the opportunity, I should like to remind the Honourable Mover of the amendment that he is now dealing with a subject which does not come within the terms of the original Resolution. If he looks at the Resolution he will see that it accepts the Indian Statutory Commission as an accomplished fact. In other words, it deals with the present and the future and not with the past. It is quite competent to this Council on a properly framed Resolution to deal with the whole

subject of the constitution, the appointment and the composition of the Indian Statutory Commission, but I have no doubt whatever that, in view of the Standing Order which lays down that a Resolution shall deal with substantially one issue, it is in my power to rule out of order any discussion which takes us back to the date of the appointment of the Commission. That is all I have to say because I am hoping Honourable Members will confine themselves to the Resolution which is before the Council, and the subject of that Resolution is whether this Council will co-operate and in what manner it will co-operate, or whether it will not.

THE HONOURABLE SIR MANECKJI DADABHOY: I accept your remarks, Sir. All that I am attempting to show is that there is no objection to co-operating at this stage, and I wish only to point out—I do not desire to dilate on this point at any length—that unfortunately on account of a certain vagueness of expression that has led to a misapprehension, there would have been unanimous readiness on the part of this House to entirely co-operate with the Commission. In this connection I will be very brief. I only wish to bring it to the notice of this House that it was distinctly understood originally that the Statutory Commission would be a Parliamentary one, and it is no use our raising now any opposition to that point and allowing our minds to be clouded with superfluous considerations and not co-operate with the Statutory Commission on this occasion. In paragraph 261....

THE HONOURABLE THE PRESIDENT: The Honourable Member promised the House that he would not labour the point.

THE HONOURABLE SIR MANECKJI DADABHOY: Well, Sir, I will take it then that the appointment of the Commission having become an accomplished fact, what is the position which we ought to adopt?—whether the interests of the country will be in any way advanced by non-co-operation and opposition or should we accept what we are in a position to get at this stage and leave our further demands for the future? In this connection, let me remind the Council of two events which long preceded us and which probably are not in the memory of this Council. When the reforms of 1892 were put into operation, Mr. Tilak then said, when there was much dissatisfaction and opposition to the reforms in this country: "Let us receive the reforms and fight again for further reforms." In the same way, when the Minto-Morley reforms came into operation and there was agitation in the Imperial Council and a disinclination to co-operate with the Government in a way, Mr. Gokhale distinctly said: "It would be folly on our part not to receive with thankfulness what we are getting and to press our claims for further consideration." It was Tilak's principle to take whatever was offered and then ask for more; it was Gokhale's principle to receive with thankfulness that which was conceded and clamour for further rights and privileges. Now, these two men occupied a predominant position in public life—one in the Imperial Council and the other in the Provincial Legislative Council, and I am sure their opinions to-day are worth as much consideration and respect as at that time when opposition is offered freely to our co-operating with the Commission. Sir, is there any other way by which we could secure our demands? It would be difficult for us to oppose this movement of co-operation altogether. And I say, in view of the statement which has now been so definitely made by Sir John Simon, that it would be suicidal on our part to refuse our co-operation with the Commission. What are the points which emanate from this important letter of Sir John Simon. I say there are a few points which emerge very clearly and I will refresh your memory and I consider they will appeal to you all.

[Sir Maneckji Dadabhoy.]

The first is the desire of the Simon Commission to dissipate all misunderstanding that may exist on the subject as to their position and as to their desire and willingness to frame a constitution for the country impartially. Secondly, they have said that we should work together on free and equal terms with them. So far as power is left with them the Commission is prepared to work with us on free and equal terms. We should not here, at this stage, go into the grievance about the non-appointment or non-inclusion of Indians on the Commission. So far as the Commission is concerned, they are prepared to meet us on free and equal terms and discuss administrative problems regarding the framing of a constitution with us on free and equal terms. The opportunities therefore, so far as I am able to see, of discussing the most important questions and framing a constitution for India are ample. They are ready and willing to establish immediately contact with a Committee appointed for that purpose by the Central Legislature. They have also made it distinctly clear that we shall have the same rights and privileges as the Commission has in hearing, recording and examining evidence. What do we want more than that? I do not think we can ask for anything substantially greater than what has now been conceded. It is true that they have insisted on one condition and that is about recording certain evidence in camera. I do not think we ought to make much of that point. You are all aware that in the previous Commissions that have been appointed, evidence has often been recorded in camera. Sir John Simon has conceded us a similar privilege. If we like to hear some of the evidence in camera we are at liberty to do so. Why then cry, why then quarrel for a point which is not going substantially to help us and which will not lead us further on the path of progress? They have also said that they will report to the Central Legislature and that two separate reports which will be written, one by them and one by us, and they will, if we so desire, include the two reports in one book which will be presented to His Majesty's Government. They have clearly stated that if the Indian Joint Committee preferred they would make their report an annexure to their own document. Not merely this. They have made it perfectly clear that the Committee of the Central Legislature will be presented to and heard by the Joint Parliamentary Committee on a status of equal footing. I think that here they have made a most substantial concession which is entitled to our serious consideration. So far as the Simon Commission are concerned, they have gone as far as possible. There were some points in the famous letter which I admit required elucidation and immediately, our friend Sir Sankaran Nair, President of the Parliamentary Party, approached him and had an interview with him for the purpose of discussing and clearing them. I must here congratulate Sir Sankaran Nair on the great sagacity and statesmanship with which he has led the Parliamentary Party in this Council. Naturally the Party were perfectly right in desiring to know the actual position, so far as the Central Committee is concerned, in the deliberations that will take place in the different provinces. The Simon Commission has distinctly said that the Central Committee can follow them to the provinces and even sit together with the Provincial Committees and press their point of view on the Commission. Is this not a most valuable concession so far as the Commission is concerned? They have made the position perfectly clear, and I think our joint deliberations here as a central body with them and our co-operation with Provincial Committees eventually will lead us to some proper understanding and to an effective presentation of our case. Is there anybody in this Council who is in a position to state definitely or entertain any doubt that the influence, the position and the arguments of the Committee of the Central Legislature as well as the Provincial Committees

will not be adequate to influence the final decision of the Statutory Commission? I think he must be a fatalist or a man who is absolutely unconvincible if he says that we shall not be in a position to lay our part of the case before the Commission effectively, we shall not be able to influence them in framing a constitution for India which will be acceptable to all parties and to all interests in the country. If our Committees are not in a position to influence the Commission, may I ask how our position would in any way be improved by our inclusion in the Statutory Commission? If we sit as a separate body and are not able to influence this Commission to arrive at a judgment which will be satisfactory and acceptable to all parties and to all conflicting interests, may I ask, why do you insist on the inclusion and appointment of Indians on the Statutory Commission? Will the mere fact of our inclusion place us in a better position in any way to influence the Commission than by the medium of the opportunities now offered? I say it is simply begging the question. You out of sheer feeling of resentment and indignation are spurning a great opportunity which Providence has just given to India. For God's sake do not spurn that opportunity. Do not allow your sound judgment to be warped and our case to go by default. If you have got any regard for the welfare of India, it is your solemn duty to-day to combine and co-operate with the Commission and bring them to your way of thinking. Place before them your facts, your arguments, your logic. Bring them to your sense of reasoning. Do not, like schoolboys sulk and refuse to co-operate. You are not going to help and advance the interests of the country in that way. Whether rightly or wrongly, we have been excluded from this Commission. It is another matter. But now this is an occasion when we all ought to combine and lay our part of the case before them. This is a rare opportunity, this is an unprecedented opportunity, as Lord Birkenhead put it in the House of Lords, and it will be a sad day for India if we allow our cases not to be properly represented and we are carried away by emotion and sensitiveness and discard this glorious opportunity which has been given to the country of framing a constitution and materially ameliorating the condition of the country. Sir, the Commission is advancing in collecting and surveying the situation at present. The Central Government, as well as the Imperial Government, are collecting materials for their perusal and consideration. When we get those materials we will be able, if not satisfied with those materials, to collect further materials that are relevant from our point of view. When the Committee of the Central Legislature and Provincial Councils' Committees have collected that material, we shall be in a position to ascertain on what matter we can accept that material and on what matter we shall ask for further information. Sir, all these opportunities which are given to us have been unceremoniously set aside in the other House on the ground of a calculated insult and indignity to India. Where is the insult? In the speeches that were made in both the Houses of Parliament I discover nothing but extreme regard, deference and solicitude for the Indian people and a genuine desire to frame a constitution that will meet with the assent of all parties and communities and which will satisfy all interests. If we admit the principle of the Act of 1919, and as these reforms were started under that Act, and in all the provinces, Ministers were appointed and the reforms were being worked, are we not bound by the scope and character of that Act? Where, then, does the question of insult come in? Yet, leaders of ability, position and culture refuse to recognise what is the actual situation. It is sheer nonsense to say that we are at present enjoying equal status with the British people; it is hypocrisy to assert that. As long as that Act is there and as long as India has not attained Dominion status, we are inferior in political status to other self-governing nations. Why then all this hypocrisy of saying that we are insulted and the British nation has excluded us from the

[Sir Maneckji Dadabhoy.]

Commission with the object of insulting this country ? You know our position. You know what constitutional status we occupy at present. India is simply a dependency, it has still to attain dominion status. Try and get that status as early as possible, and that should be our objective, our goal....

THE HONOURABLE RAO SAHIB DR. U. RAMA RAU (Madras : Non-Muhammadan) : How can we get Swaraj when we have a man like you ?

THE HONOURABLE SIR MANECKJI DADABHOY : I will answer you, Sir. I believe in obtaining Swaraj by evolution. I believe that we can obtain Swaraj by co-operating with the British Parliament and the British Government. I firmly believe, and every honest, intelligent man must believe that the salvation of this country lies by working in co-operation with the great British nation. (*The Honourable Rao Sahib Dr. U. Rama Rau* : 'Question'). How are you going to wrench reforms out of England by a policy, an obstinate and senseless policy of opposition, or a policy of revolution ? You will not succeed in causing a revolution. That is what the Swarajist Party is bent on doing. That is the mischief which that party contemplates. The Swarajist Party is misleading the country on this critical occasion, (*The Honourable Rao Sahib Dr. U. Rama Rau* : "No") and will not allow India to go on the right path of progress and advancement. You people are on the war path at present. You do not think....

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muhammadan) : Does boycott amount to revolution ?

THE HONOURABLE SIR MANECKJI DADABHOY : You do not think that by co-operation you are going to get your freedom. See what is your position now. The position is that three big Parliamentary parties in England have combined.....

THE HONOURABLE SIR PHIROZE SETHNA : What about the parties here ?

THE HONOURABLE SIR MANECKJI DADABHOY : Wait a minute. Even Mr. Ramsay MacDonald, the great Premier of the late Labour Government and leader of the Labour Party, has given you his decision in express terms. Are you going to get Swaraj (*The Honourable Rao Sahib Dr. U. Rama Rau* : "Yes") by working in opposition to the three great Parliamentary parties in England ? Are you going to get Swaraj by making the British nation your enemy ? Don't rub them up the wrong way. I know that Englishmen have some faults. I know that they have not always acted tactfully and correctly, but if you desire on this occasion to fight in this injudicious way to obtain Swaraj, I must candidly say you are very sadly mistaken. This is the occasion when a little judgment and a little tactful move on our part will save the situation and lead us to progress and advancement. English politicians do not desire or expect Indians to abandon patriotism or to abdicate the cultivation of nationalism on well-defined and orderly lines, nor do they ask Indians to concede that the British Government is best and always infallible. No reforms, however generous, will have any chance to succeed in the face of ill will, bitterness and mistrust. This is the time when we should hold out our hand of fellowship to the British nation and to this Statutory Commission and arrive at some mutual understanding beneficial and profitable to both countries. Remember when you started the reforms in that atmosphere of disturbances you were not in a position to accomplish much.



For God's sake on this occasion avoid bad feeling between party and party, between Government and people. Many things have contributed to the failure of the reforms. The unfortunate disturbances, the bankrupt financial position of the country at the time the reforms were started, have contributed to our failure. Don't repeat that history again. On this occasion let us bury the hatchet and forget and forgive. I do not say that the English people have always ruled well and wisely, but they have done, so far as I can see, their very best. They are a well meaning people. If they have made mistakes, they have made the mistakes which India in the past and other nations have also made. Don't therefore be hard and unreasonable on this question, and if you love your country, if you have any regard for the interests and welfare of India, willingly co-operate, show a gesture at least of conciliation to them and you are sure to get....

**THE HONOURABLE THE PRESIDENT :** I must ask the Honourable Member to bring his remarks to a close.

**THE HONOURABLE SIR MANECKJI DADABHOY :** I will only add one word and I will appeal to my Honourable friend, Mr. Chari. You (turning to the Honourable Mr. Desika Chari) have come to help us....

**THE HONOURABLE THE PRESIDENT :** The Honourable Member will please address the Chair.

**THE HONOURABLE SIR MANECKJI DADABHOY :** Very well, Sir. I only hope that he will accept my amendment on this occasion. We shall have our battles and our controversies with the Statutory Commission when we meet them in our parliamentary capacity and when we work hand and glove with them. This is not the occasion to lay our conditions and proposals. I do not ignore the importance of the points which the Honourable Mr. Chari has raised, but I think we can come to a better understanding and some solution by the acceptance of this amendment of mine and I hope—I feel confident—that this Council will pass it by a substantial majority.

**THE HONOURABLE THE PRESIDENT :** Amendment moved :

"That for the words 'urge upon His Majesty's Government' to the end the following be substituted, namely :

'take steps for the election of representatives from the Council of State to participate in the joint conference according to the procedure set out by the Chairman of the Indian Statutory Commission in his letter of the 6th of February 1928 addressed to His Excellency the Viceroy and Governor General, and his letter, dated the 10th February, to the Honourable Sir Sankaran Nair'."

**THE HONOURABLE MR. NARAYAN PRASAD ASHTHANA (United Provinces Northern : Non-Muhammadan) :** On a point of order, Sir. Your ruling just now was that we cannot discuss on this Resolution and the amendment the question of the principle of the Commission and its appointment. I know that the Resolution and the amendment as they stand take it for granted that the Commission has been appointed and they take it for granted that the principle of its appointment is correct. But those who are opposed to the Resolution and the amendment can only base their opposition on the ground that they are opposed to the Commission and therefore they cannot approve of it. So far as I understand, this Council has not on any previous occasion assented to the principle of the appointment. May I therefore take it that it is your final ruling that in discussing the Resolution and the amendment we cannot discuss the question of the principle of the appointment of the Commission ?

**THE HONOURABLE MR. V. RAMADAS PANTULU :** Sir, when I asked my Honourable friend, Dr. Rama Rau, not to move the amendment that stood in his name, which raised the whole question about the appointment of the Commission I was under the impression that the Council would have an opportunity of discussing all matters connected with the appointment of the Commission and all objections thereto in the debate on the Honourable Mr. Chari's Resolution and the Honourable Sir Maneckji Dadabhoy's amendment thereto. But, Sir, if there is any doubt as to the scope of the debate and of our right to attack the Commission from every standpoint, I would request you to permit Dr. Rama Rau to move his amendment. Then I would speak on that amendment.

**THE HONOURABLE SIR ARTHUR FROMM** (Bombay Chamber of Commerce) : May I say a word about this point, Sir ? I would respectfully suggest, Sir, that the amendment moved by my Honourable friend Sir Maneckji Dadabhoy is sufficiently wide, and if it is accepted by this House, it includes the approval of the appointment and composition of the Statutory Commission. I would suggest, Sir, that that is involved in the amendment moved by the Honourable Sir Maneckji Dadabhoy.

The second matter involved in the amendment is the approval of Sir John Simon's letter to His Excellency the Viceroy. I should like to have your ruling on those two points.

**THE HONOURABLE THE PRESIDENT :** I told the House just now that I should prefer not to have given a ruling on this particular point, and I made an appeal to the Honourable Member which I hope the House will take as an appeal to it as a whole, that it would confine the debate to the question of co-operation with the Commission from the present, going into the future and not delving into the past. The Honourable Mr. Ramadas Pantulu suggested that if I were to rule that a discussion on the question of the constitution of the Commission was out of order, he would ask that the Honourable Dr. Rama Rau might be permitted to move his amendment which raises that question. I would merely point out to him that if the discussion of the constitution of the Commission is out of order in this debate, equally then the Honourable Dr. Rama Rau's amendment would be out of order.

The point raised by Sir Arthur Fromm and by the Honourable Mr. Narayan Prasad Asthana is a perfectly valid point. It is quite possible in regard to the Resolution as well as the amendment to deal with the constitution of the Commission and challenge that constitution as one ground for not co-operating with the Commission. I hoped that the House, as I said before, would confine itself to the question of co-operation from the present moment onwards. I am not prepared to rule that the discussion of the constitution is out of order, but I do again make an appeal to the House not to labour that point too much ; the Resolution as moved has not raised it ; the speech of the Honourable Mover has not raised it, and the Honourable the Mover of the amendment has touched very lightly upon it.

**THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN** (Punjab: Nominated Non-official) : May I just add one word....

**THE HONOURABLE THE PRESIDENT :** On what point does the Honourable Member wish to speak ?

**THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN :** I want to know if I can move an amendment to the amendment of the Honourable Sir Maneckji Dadabhoy by adding one word. I submit that the word " five " should be added to it....

**THE HONOURABLE THE PRESIDENT:** The Honourable Member will have his opportunity later.

**THE HONOURABLE SIR C. SANKARAN NAIR** (Madras: Non-Muhamadan): Sir, there are two important questions raised by the Resolution and by the amendment, i.e., whether we are to appoint a Committee now to work with the Commission, or if not to work with it, to work on parallel lines and whether that committee now to be appointed may function with the rights, privileges and limitations now given and imposed or should it function only with certain additional powers which we have asked for and which may or may not be granted. I draw the attention of the House to this fact for Sir John Simon has said that he is open to a discussion in a conference about any matters of procedure which his statement does not adequately cover. Therefore, Sir, that question remains open.

Now, Sir, I may state my view. I am prepared to advocate the appointment of a Committee at once either of this House or of the two Houses in order to work with the Commission or on parallel lines. I would also say that I should like some further powers to be conferred upon them, and I feel confident that the Committee will get the privileges required to perform their duties.

Now, Sir, in deciding these questions there are two facts of primary importance which have to be borne in mind. One fact is—and I have not seen it denied anywhere, either in this House or in the other place or in the course of the discussion—that we have to go to the British Parliament in London for any Act to be passed to confer any further powers on us or to get Home Rule or to get any further instalment of Reforms. We cannot do it in any place, anywhere between the Himalayas and Cape Comorin. Nobody here can do it. Even His Excellency the Viceroy with his Executive Council, the Legislatures of this country or all the leading men put together cannot frame a constitution for this country which will have any validity unless the consent of the Imperial Parliament is obtained. It may be an automatic assent, as the Congress men would put it, it may be an assent given after Parliament is satisfied, as others would put it; but whatever it is, you have to go to the Imperial Parliament and get their assent. That is one important fact that has to be borne in mind; the House must always have in mind that broad fact.

Then the next thing we have to bear in mind and which has determined my attitude towards this Commission is this. Now it is accepted that the Joint Committee, if appointed, may submit their Report to the Government of India here or to the Central Legislature. We have the statement of Sir John Simon—and I accept it—that there are well-known constitutional means by which a document emanating from the Joint Committee and presented to the Central Legislature can be forwarded to and made available to the British Parliament. The Joint Committee can submit their Report to the Central Legislature, and that Report will go to England. Personally I would go further and say that it does not matter if the Report goes to Parliament or to anybody else, because that is a Report written for posterity in India to show that we of this generation in this Council have done our best for them. It is a Report which will go to America and to the whole of the civilized world to show what we think of our Government and the Government required by us. This is what we want. It does not matter even if the British Parliament does not take any notice of it, because our appeal is not merely to the British Parliament, but it is to the civilized world. However, as I said already, it will of course go before Parliament for their acceptance, and they will accept it, if they think fit. That is

[Sir Sankaran Nair.]

the other dominating fact. It is implied in the submission of the Report that you can frame your own scheme and that you can broadcast it all over the world for men to see and judge between you and between those who stand against you. Now, to throw away that weapon would be suicidal. It does not matter whether you are allowed to take evidence. It is not on evidence that we have been framing schemes hitherto. Why do we want the evidence which is going to be given before the Simon Commission? Are not we able if necessary to get evidence ourselves? I say it is criminal to give up this opportunity. I am prepared therefore to advocate the appointment of a Committee. (Hear, hear.)

Now, why should we not do that? What is the argument against putting forward a scheme before the world? What is the argument against putting forward a scheme before Parliament? (Here an Honourable Member interrupted.) You need not be in a hurry: I am not going to run away. We will take then the arguments, one by one. I listened carefully, I listened with all respectful attention to the debates in the other place. I not only listened to the debates, but I read all the arguments that have been used against this view in the papers. Now, take the arguments one by one. I may tell the House at once that once the situation as I have stated it is realised, every argument without exception which has been used in the other place for boycotting becomes an argument for constituting a Joint Committee and for working with the Commission. Take the first argument. The first argument is that they don't believe in the *bona fides* of the men who have appointed this Commission. Very well, then, be candid, be manly, be straightforward. Let us form the Joint Committee. Let them go to the Simon Commission. Let them tell them straight to their face: "We do not believe in the *bona fides* of the men who have appointed you and our reasons are these". They are the persons who are bound and able to reply to a charge like that. Is that a charge to be made behind the backs of the men who alone can answer that question? Let the Committee go to them, and ask them: "What is your answer?" And then, if they have not got any answer or if the answer is not satisfactory, let the Committee say so in the report which they submit to Parliament giving their reasons. "We do not believe in the *bona fides* of those persons that have appointed this Commission." The Viceroy has denied the charge; but whether he denied the charge or not, it is only manly that the charge should be made in the presence of men who can answer it and should not be made elsewhere where there are no men to answer it. Because it is not the Government of India that can answer it. It is only the Simon Commission coming from London with credentials from those who have appointed them who can answer it. That is a reason therefore for the appointment of the Committee.

Take the next argument that is used. They say, they have no faith in this Commission because this Commission consist of men who do not know anything of India. Very well. Let the Committee go there, convict them of their ignorance of India. When they put forward a proposition, let them show that the scheme which they put forward is one which only ignorance could put forward, show them that every step they take is a step due to their ignorance, convict them of that, and if they will again persist in their course, say in their report these are the things which the Commission put forward and they put them forward because they know nothing about the conditions in India. Therefore this is a reason why the Committee should be appointed in order to convict the Commission of their ignorance. The Committee should proclaim to the world and to England that these are ignorant men whom you have sent to us, and therefore that is why we say we cannot usefully work with this Commission.

Then, I heard another argument. I am sorry they used that argument, but however, there it is. They say it is not a work for any Commission, because the Anglo-Indians can manufacture evidence and put forward any falsehood. Therefore on the results of that Commission we cannot rely. Very well, this is a strong reason for having a Joint Committee. As we go on, reasons accumulate for the appointment of a Committee. What are these Indians who form the Committee worth if they cannot dispose of these falsehoods; when false evidence comes, if they cannot point out that this is false evidence? Are not we accustomed to that sort of thing? Cannot they do that? And if they can do that, is not that a reason for our appointing a Committee because Englishmen are not as competent as ourselves to judge the evidence. If the Commission still accept that false evidence, the Committee can give in their Report reasons to show that the evidence is false. I say therefore all this is no reason for the non-appointment of the Committee—they are reasons for the appointment of the Committee. On the other hand, look at the result if we have no Committee. We cannot meet the scornful Anglo-Indian taunt, that we do not appoint a Committee, we object to a Joint Committee to work along with the Commission because we cannot submit a scheme which can stand scrutiny or investigation. Whether it is true or whether it is not true, I don't say now. Now, what is the use then of putting forward a scheme which some of us have framed or are preparing unless we are prepared to defend it? Is there any chance for any scheme if the Joint Committee are not there to defend the scheme before the Simon Commission? Won't they cut it into pieces? One witness after another will go before that Commission in order to show that the scheme is absurd and is ruinous to the people of this country. Is it not then our duty, I say, to appoint a Joint Committee to go there in order to put forward, and not only to put forward but defend the scheme before the Simon Commission? If they don't accept it, it does not matter a bit if the scheme is properly prepared. The Committee may put it forward in their report. Place it side by side with the Commission's Report. They can show why their own report, the Joint Committee's scheme is far superior to the other one. What will be the moral effect in India and in the eyes of the world when they find the Simon Commission has submitted a report which should not be accepted and that the Joint Committee have submitted a report which should be adopted.

Then take the Muhammadan position. Is there any reply given to the charge that is brought by the Muhammadans? There is a reply: I can conceive it, but no reply has yet been given to what the Muhammadans have said, that between the Hindus and the Muhammadans there is permanent hostility which has been going on for centuries and centuries and there will always be permanent hostility. Is it not then for the Joint Committee to come forward and maintain that the scheme which we put forward, if we have one, is a scheme which is compatible with the good government of the country, with Muhammadan aspirations, with Hindu aspirations? Are we to sit quiet here and listen to witness after witness say to the Simon Commission: "Between Hindus and Muhammadans there never will be harmony. We are fighting: if the British Government leave us, we will ruin one another." I do not at present say whether the charge is valid or whether the charge is not valid. There it is and it is our duty to appoint a Joint Committee to combat it. What is the use of saying in the Council that this is all nonsense? We will have to prove that the scheme which we put in is consistent with the genuine aspirations of both Muhammadans and Hindus and others, if not to the satisfaction of the Commission to the satisfaction of others. Then there is the case of the depressed classes, there is the case of the labouring population. They have, we know, been

[Sir Sankaran Nair.]

treated very badly. The Non-Brahman movement in Madras and elsewhere is itself testimony to that. They say. "We have no confidence in the class of men whom the reforms are likely to bring forward to protect our interests." I associate myself generally with the charge that the depressed classes' interests are not safe in the hands of those who are now influential in political life and who are likely to come into power according to the schemes that are now put forward for reforms by the Congress and other bodies. That is not a charge brought forward by them alone. The Right Honourable Colonel Wedgwood, the idol of the hour so far as the Congress men are concerned, did he not bring that forward? He said, if my memory may be trusted, that you cannot expect the Congress to stand by and protect these classes as long as the Congress is dependent upon the funds supplied by the capitalists and by the great Rajas and Maharajas. Has any reply been given to that charge? If it has been, I have not heard it yet. I was there in the Assembly listening to the passionate plea by Lala Lajpat Rai that for the last 25 years he has been labouring for these classes. All honour to him. But when I listened to that passionate plea the saying of the sacred prophet and founder of his faith, Guru Dayanand, came to my mind. He said that he was being hunted from door to door and was in fear of his life; that for a very long time to come, we must have the British Government here for freedom of speech and for the freedom of those who are like him striving for the uplift of women and of the depressed classes. He said that because he was in danger of his life and we know he was killed on account of his reforming tendencies. It is the followers of that class who have been doing good to the depressed classes. His followers Arya Samajists, men like Lala Lajpat Rai, are the exception who prove the rule of the Hindu faith and that Hindu faith has never been lenient or tolerant towards the depressed classes and there are men—at least one man who sits in this Council—who have said that Gandhi who has been fighting so much for the untouchables is a man to be lynched for that reason. This is in accordance with the spirit of Hinduism. This is not a thing which has only now been put forward by Dayanand and these classes. It was put forward by the men of the Punjab centuries ago. When Mohammad Ghorî invaded India, the men from the Punjab, the outcastes, the depressed classes, the hill tribes, met him with drums and torches and invited him to come over to India in order to save them from the Brahmans and from Kshatriyas. I myself brought forward before this Council the draft of a scheme for reform for doing justice to them, but it did not commend itself to Congress men. Well, then, is it not our duty to appoint a Joint Committee to go before the Simon Commission and to put forward a scheme, if we can find one which will meet all these objections and which will save the lower classes from the hardship which they are now suffering from? It is idle to say, it is crass folly to say, as these men have replied: "Have you been better off under the British Government?" That is not the question before us. The question is, are these classes going to be better off, are they going to be benefited if these schemes are accepted? We may be able to furnish an answer. But that is not the question now. The question is that the scheme that we put forward which would benefit all the parties in India, requires to be defended and defended strongly if we can. If we say we have no scheme to put forward, that is a different matter. But do not let us treat these things in the way in which it is being treated, without any attempt to meet these objections. That is so far as the extreme party is concerned.

Now, let me take the views of the other party, represented by Mr. Jayakar and Mr. Jinnah. They say that facilities have not been given to the Committee,

they are not placed on an equal footing, they may be excluded when evidence is taken and therefore they are not prepared to work with this Commission. But do we want the evidence that is being heard by the Simon Commission? We who have been in political life for 30 or 40 years, we who have considered these questions for 30 or 40 years—do we want the evidence which may be taken or which may be discarded by the Simon Commission? If he discards any useful evidence, so much the worse for him, because he cannot get at the truth. The Committee will be able to expose him easily, if on the Joint Committee there are good men appointed by the Congress Party, which has a majority in the other House. If they are proper men, I would say, as things now stand, if all the evidence which the Committee might place before the Commission is excluded by Sir John Simon, if all the evidence which Sir John Simon accepts is rubbish evidence, even then I say our Indian Members, who have been in political life for a long time and who do not want the assistance of Sir John Simon can put forward and support their scheme. This argument should never have been advanced that because Sir John Simon would not allow us to do this or do that, because we are not given an equal status—as if dignity and insult have a place when the interests of the country are concerned—we should not co-operate with the Commission. That is a very good reason why we should go there and say that the evidence which Sir John Simon has excluded would have given him the truth, and that the evidence which he has taken is false evidence or irrelevant evidence. Therefore, as things now stand, I am prepared to advocate the appointment of a Joint Committee in order to work with the Commission. But I do not stop there. I believe in harmonious relations between the Indian Committee and the English Committee. I therefore say that it is desirable that the Simon Commission should go further and I am quite sure—that is why I worded my Resolution in that form—that if the Government of India will ask Sir John Simon to do it, he will do it. I think it was a tactical mistake to say that certain evidence shall be open only to Englishmen and to the Simon Commission, and that such evidence will not be open to Indians. The reason is not its relevancy. The reason is that if Indian members are there, there is a certain class of evidence that will not come forward. The reason is that witnesses would not appear to make certain statements in the presence of an Indian (*An Honourable Member*: “Why?”) which they would make in the presence of others. You will find there were witnesses before Committees or Commissions who came forward and made many statements against Indians, but who said they would not give that evidence if Indians were present. That is the real evil. (*An Honourable Member*: “Don’t rely on them.”) I do not ask you to rely on them. That is a very important argument for our Committee saying that the views of the Commission must not be accepted because that is the evidence of cowards who will not come forward in the light of day and make their charge against Indians. I concur with my friend fully. The right to take evidence excluded by Sir John Simon has not been expressly granted, but I have no doubt it will be granted, I have no doubt that that right will be given. It is only when that right is given that there is any hope of a unanimous report, of a common report. The Indian Committee must have the right to call for all kinds of evidence and have it placed before them. If you proceed upon evidence which is open to one and not open to the other, or upon two distinct sets of evidence, then there is no probability of joint, harmonious co-operation, and it is only if there is joint, harmonious co-operation that our case will be strengthened in England. That is a matter within the control of the Government of India, because even if Sir John Simon says that that evidence cannot be taken it is open to the Government of India to say, “Very well, we will allow it to be given.” The Viceroy has already written to Sir John that he will render all assistance.

[Sir Sankaran Nair.]

and I have no doubt he will write to the Indian Committee when the occasion arises, that he will allow the Government officials to come before the Indian Committee to give evidence before them if Sir John Simon thinks that that is evidence which he would not take, and that he will give us the same facilities and access to Government records as are accorded to the Statutory Commission. I would ask the Government of India to bear this in mind. On the last occasion, when Mr. Montagu came out to India,—he had himself been the Under Secretary of State for India, and had studied Indian questions—he came with his Under-Secretary, Mr. Philips, with a member of the India Council, who had been Governor of this province, Sir William Duke, and there were also men of the India Office. With the Viceroy, Lord Chelmsford, and with an Indian politician who had only then been appointed to the India Office, that is, Mr. Bhupendra Nath Basu, with the Home Member, Sir William Vincent, he went about collecting evidence for their report. When it came back to the Government of India—I trust I may be excused for this personal reference—we sat in consultation, we discussed it at a round table conference and came to the conclusion that that evidence was not sufficient. Then we appointed two Committees, namely, the Feetham Committee and the Southborough Committee and we got the best Indians that were then available, I mean Mr. Srinivasa Sastri and Sir Surendra Nath Banerjee on one, and Sir Chimanlal Setalvad and Sir Tej Bahadur Sapru on the other. Their report came to us and again we found that the evidence was insufficient, and mark you, that evidence was found to be insufficient partly on account of a boycott. The boycott was then carried on by the non-Brahmins and by the depressed classes in Madras. When this Committee went to Madras Dr. Nair who was then the leader of the non-Brahmins and the depressed classes boycotted the Committee on the ground that there were Brahmins who sat on it and that the Englishmen would always follow the Brahmins, and that they had therefore no confidence in them either. Dr. Nair did not give evidence before them and he persuaded the other non-Brahmins and members of the depressed classes not to give evidence before that Committee. Do you know the result? The result was that these depressed classes suffered, because no evidence in their favour was there and the Government of India had to accept the report of the Franchise Committee, and the depressed classes have therefore only a nominated Member in the Legislative Assembly which would not have been the case if they had not boycotted that Committee in the belief that the Englishmen were people who would only follow the Brahmin views. Therefore, beware of the consequences of boycott. The Government of India, as I said, found the evidence was insufficient in this and other respects but accepting it submitted their report to the India Office. At that time I happened to go to the India Office and I was a member of the Committee of the India Office appointed to revise all those arrangements. We found there too that the evidence was insufficient even though we referred the matter back to India, but we had to accept the recommendations of the Committee. I ask the Government of India, therefore, to give all facilities and to do what they can in order to allow evidence of all kinds to be taken. Irrelevant evidence would not do any harm, but the exclusion of evidence, especially before a Commission consisting of people who are ignorant of the conditions in India, would do a good deal of harm. The report of the Simon Commission will be waste-paper if the Government of India show that that report is founded on insufficient evidence, or incomplete or erroneous evidence. So, the Government of India's request will always be complied with. I say every facility should be given in order to ensure that the Indian Committee when appointed will have all the evidence that is asked



for and have all the assistance that is needed from the Government of India and from all others in order to come to a right conclusion. If those facilities are given, unless I have misjudged my countrymen, the members of the Committee appointed by this House and the Assembly will not be found wanting, and they will put forward India's case in a manner that will arrest attention throughout the world. If they succeed in persuading the Simon Commission to agree with them and if the Simon Commission are as impartial as it is pretended they are,—I think there is a great probability that they will agree with them and if they succeed in carrying the Simon Commission with them, then we will get what we want, and what a tremendous advance we would be making then? If the Simon Commission do not agree with them, the situation will be more difficult, but we will have our case stated before the whole world as the Committee's report will be read with the Commission's Report. What harm has been done by one wretched book, Miss Mayo's book? Those men who are now preaching non-co-operation are publishing replies simultaneously in England and America and India in order to get rid of the impression created by that book, fearing that ill-will might be aroused by that publication. Do you mean to say that if you—those who oppose the appointment of a Committee sit still and the Simon Commission submit a report saying that we are unfit for further progress—do you mean to say that that is not going to do us any harm? Is it not the case that the only way of counteracting and meeting it is by electing the Indian Committee who will submit simultaneously a report exposing any statement made by Sir John Simon and his colleagues, which may be detrimental to our interests, and say, "This is what we want." This is the reason why we claim self-determination because we cannot expect even from a Commission like this any justice." Will not your claim for self-determination then stand justified? What is the use of whispering self-determination in the ears of people within the four walls of the Legislative Assembly, printed in a book which nobody cares to read. Do you think anybody cares to read all those voluminous things, the debates? Therefore, Sir, I support the amendment that has been moved.

THE HONOURABLE SIR PHIROZE SETHNA : Sir, after the decisive vote in the other place not to co-operate with the Statutory Commission as at present constituted at any stage or in any

1 P.M. form, I regard it as the solemn duty of every elected Member of this House, if he is true to himself and to his electorate, that he must vote against the motion and the amendment we are now considering. Surely the Government cannot possibly bring forward a Resolution as contemplated for the election of a Joint Committee of the two Houses to assist the Commission, for the other House has given a clear indication that it will not agree to any such proposal. Sir, I very well understand that, constituted as this House is, Government can have everything their own way in this place..

THE HONOURABLE SIR ARTHUR FROMM : No.

THE HONOURABLE SIR PHIROZE SETHNA : They can, Sir. And they do ; they have always done it.

THE HONOURABLE SIR DINSHAW WACHA (Bombay : Nominated Non-official) : It is prejudice, prejudice and nothing but prejudice.

THE HONOURABLE SIR PHIROZE SETHNA : Sir, I can quote instances after instances to show that we can never carry anything in this House unless it is ended or mended. (*An Honourable Member* : "No, no".)

[Sir Phiroze Sethna.]

I will try to answer the point raised by my Honourable friend Mr. Chari. The same misunderstanding seems to prevail also outside this House. He inquired why if we who ordinarily co-operated with Government, will now become non-co-operators in all matters. My answer is that, whilst we will non-co-operate with the Statutory Commission, perhaps with the exception of our Swarajist friends, all others on our side certainly mean to co-operate with Government in all other matters as we are doing.

I admit that there were insistent demands for the acceleration of the date of the appointment of the Statutory Commission, and I was myself responsible for a Resolution to that effect in this House. The date has been accelerated, but I have reason to believe that this has been so not in answer to our demand, but because the Government at Home thought that this was an opportune moment, because of the existence of communal tension in this country at the present time, and from the point of view of the Conservative Government it was also opportune because they must recognise that their domination of home politics is likely to end before long. You have very kindly observed that you will not rule any observations which we may have to make on the appointment of the Commission out of order. We cannot but refer to the appointment of the Commission because otherwise we cannot explain why we are not in a position either to support the amendment or the Resolution. I shall however accept your advice and refer to the appointment as briefly as possible. When we asked for the earlier appointment of the Commission no one ever contemplated that Indians would be excluded from its personnel. This exclusion, no matter whatever has been said to the contrary by my Honourable friend Sir Maneckji Dadabhoj and others, is regarded by all India as a deliberate insult and an unwarranted affront to this country. May I point out to the House the inconsistency on the part of my Honourable friend who sympathised with us boycotters because Indians were excluded.....

THE HONOURABLE SIR MANECKJI DADABHOY: Excuse me, Sir, I sympathise with....

THE HONOURABLE SIR PHIROZE SETHNA: I am sorry I could not catch you. Is it consistent on his part if he sympathises with us, as he said he does, that yet he sees no harm in the exclusion of Indians? Now, Sir, the best proof of this lies in the fact that even the 300 individuals and associations, some of which associations are mere mushroom organisations not older than the Commission itself, whilst they are prepared to support the Commission are all or almost all against the exclusion of Indians from the personnel and condemn that attitude of Government. This exclusion of Indians means that we are to be deprived of the right of our citizenship in the British Empire and it lowers us to the position of no more than mere petitioners. Such humiliation we are not prepared to take lying down, because if we do so, it will mean that on similar occasions in future Government will adopt the same tactics again and again. Let me quote an instance of the harm that such exclusion has already done. The Right Honourable Srinivasa Sastri, to whom the Honourable the Leader of the House referred the other day in such eulogistic terms as Agent of the Government of India to South Africa, was doing his best to get two Indians nominated on the Education Commission recently appointed by the Natal Government. I am confident that our Agent would have "Sastricised" the Natal Government into doing so and in passing I may mention that this is a new word added to the English Dictionary and is already in frequent use in

the South African Press. But now can we expect the Natal Government to agree to Mr. Sastri's proposal when they could fling in his face the decision of the British Government excluding Indians from the Statutory Commission which has everything to do with Indians themselves ?

**THE HONOURABLE MR. H. A. B. VERNON (Madras : Nominated Official) :** Have they done so ?

**THE HONOURABLE SIR PHIROZE SETHNA :** If they have not, it is for the very simple reason that the Right Honourable Sastri has been careful not to press the point after what has happened.

Now, Sir, Lord Birkenhead relies upon the Act. I shall not enter into the details. All I can say is, that even the very heading of the section is called Statutory Commission. Lord Birkenhead seems to interpret the Government of India Act to mean that the Commission must be purely a Parliamentary one. This is an interpretation which we are by no means prepared to subscribe to, for it is neither warranted by the language of the section nor by a correct implication of the constitution. Lord Birkenhead, however, does not seem to be sure of his ground and he turns to the supposed intention of the framers of the Act and relies on the opinion expressed by Lord Chelmsford. It is true that Lord Chelmsford was intimately associated with the late lamented Mr. Montagu in the Reforms Scheme, but is it not equally true that in the framing of the Act Lord Chelmsford appeared to have no hand or share whatsoever, he being 8,000 miles away in India at the time ? That part of the work must have been attended to by Mr. Montagu in England, and unfortunately he is not alive to-day to state what was the intention in his mind. If Lord Chelmsford had such an intention it would not follow that Mr. Montagu thought likewise, for it is inconceivable that of all people Mr. Montagu should be the person to do anything to hurt the feelings of India and the Indians when we gratefully recognise that of about thirty statesmen who have filled the office of Secretary of State for India till now no one, not even Lord Morley, did as much to advance the cause of India as the late lamented Mr. Montagu. No truer words are uttered of that great man than what are inscribed on the tablet on his statue in Bombay which say :

"He loved the people of India  
Had firm and full faith in them  
And strove for their freedom  
With rare courage and magnanimity."

He tried to bring about a change of heart and for a time the angle of vision had altered, but there is again a set-back and more so at present under the Great Moghul who to-day presides over the India Office.

When the Commission left England Lord Birkenhead said that the real measure of responsibility had passed from his office to be discharged jointly by Sir John Simon, his colleagues and the Viceroy. It was therefore that Sir John Simon's statement was awaited with interest. It was published on the 6th instant in the form of a letter from himself to His Excellency the Viceroy. Sir John insists, in the first place, that this statement was drawn up after his arrival in India. We do not dispute for a moment that it was actually drafted and written out after the Commission's arrival in India. What we do urge is that the statement contains nothing new beyond what was referred to in the suggestions and recommendations made by speakers in Parliament during the course of the debate on the Commission, and no one on the Government side has dared to deny it, and that is the reason why the Indian leaders were able to reply within four or five hours to the effect that Sir John's statement was most unsatisfactory and there was no reason to depart even a little

[ Sir Phiroze Sethna .]

bit from their original decision. It is tried to be made out that according to this statement the Indian colleagues of the so-called Joint Free Conference would be given equal status. All I can say is that no one but a man bereft of his senses can admit that there is equality. It is all a camouflage and nothing else. Sir John calls them his Indian colleagues. To call them colleagues is an absolute misnomer. Amongst other things, can it be called equality if the Indian Members are asked to walk out if some evidence is taken in camera ? Much evidence in the past has been taken in camera by Commissions and by Committees on every single one of which Indians were nominated, and have such Indian members ever disclosed such evidence or misused what information they had had ?

**THE HONOURABLE MR. MAHMOOD SUHRAWARDY :** (West Bengal : Muhammadan) : He (Sir Sankaran Nair) also stated the reason for the exclusion (taking of evidence in camera).

**THE HONOURABLE SIR PHIROZE SETHNA :** To say the least, it is most unsatisfactory, and if my Honourable friends think otherwise they are welcome to do so. Why has Sir John Simon chosen to impose such a humiliating restriction, unless there are ulterior motives behind, which Sir John Simon has not chosen to disclose but which we can of course guess. . .

**THE HONOURABLE SIR MANECKJI DADABHOY :** What are they ?

**THE HONOURABLE SIR PHIROZE SETHNA :** I will refer to them.

**THE HONOURABLE SIR MANECKJI DADABHOY :** Why not state them now ?

**THE HONOURABLE SIR PHIROZE SETHNA :** I am coming to them at the proper time. This morning's papers tell us that at the interview Sir John Simon gave at Calcutta yesterday to a representative of the *Englishman* he said that the narrow majority of six in the Assembly does not decide this issue for India for all time. He forgets that out of the 130 who voted there were as many as 25 officials on the other side, and if he leaves them out of count as he should, then the narrow majority of 6 swells to the very substantial majority of 31 amongst the remaining 105 or the result of the voting becomes 68 for the Resolution and only 37 against. Sir John should not lose sight of that very important fact. At the same time one welcomes the conciliatory tone of his last utterance which is in such direct contrast to the minatory and threatening language of Lord Birkenhead.

The proper course for Sir John would have been to have invited the very men whom His Excellency the Viceroy asked to see him in the first week of November and also some other leaders. Had he tried to meet them all at a Conference, I feel confident that they would have accepted his invitation and I feel equally confident that some satisfactory understanding would have been arrived at and existing differences removed. I contend it is not yet too late to do so if the Commission are prepared to accept this advice.

I would ask the House to consider who are the men and which are the associations which have ranked themselves on the opposite side in regard to co-operating or not with the Commission. The men who to-day are against the Government are the men who until yesterday were the strongest supporters of Government, in whom the Government themselves strongly relied, men like Sir Tej Bahadur Sapru, Sir Ali Imam, Sir Chimanlal Setalvad, Sir Sivaswamy Aiyer, the Maharaja of Mahmudabad, Sir Moropant Joshi and others, even

including Sir Sankaran Nair, who one and all of them were inside the Government and at one time or another had filled the responsible position of Executive Member of either the Viceroy's Council or of the Provincial Councils. I say even Sir Sankaran Nair advisedly, because, although he is prepared to support the Commission on his terms and made a very strong speech in support of co-operating with them, we know from the article which he recently contributed to the *Contemporary Review* that he is entirely against Government for having excluded Indians from the personnel of the Commission. I am sorry therefore that he did not refer to that point in the course of his remarks. If you turn to political and other bodies then such important bodies as the Congress, the National Liberal Federation, the Hindu Mahasabha, the Indian Moslem League of Calcutta, the leading Indian commercial bodies are all against. Can the individuals or associations responsible for sending the 300 letters and telegrams to Sir John Simon and sending them either of their own free will and accord or under command or compulsion, compare with them? Government want to make out that an overwhelming majority of Muhammadans are in favour of the Commission. I hope Sir John Simon and his colleagues have by now discovered that, in spite of all the pressure that was put upon the elected Muhammadan Members by Government, the majority on Saturday last voted not with the Government but with those who will have nothing to do with the Commission. There are, I believe, 32 elected members from the Muhammadan community in the Assembly, of whom 5 were absent, 1 did not vote, 14 voted for Lala Lajpat Rai's Resolution and only 12 against it; and of the 12, 5 came from the Punjab, 4 from Bengal, 2 from Sind, and one from the United Provinces. This is surely an eye-opener to both the Government and the Commission. All I can say is that it is a sorry day for England if her statesmen have to rely for their knowledge of India and their contact with educated Indians upon those whose friendship is due to personal interests or exaggerated communal feeling (*The Honourable Mr. J. Crerar* : "No, no.") and no one understands this better than the Government of India and the Government at Home, for otherwise they would not care two straws for the boycott of the Simon Commission. But they do care and they do smart under it. My friend Sir Arthur Froom may laugh but he did not laugh when Sir Sankaran Nair gave almost the same reason. I say Government smart under it because they realise they must suffer in the estimation of the civilised world and particularly of the English-speaking people, and most so of America who will no longer believe in the professions of England that she is carrying on the government of India for the benefit of Indians and for advancing them towards self-government. They will now realise that in reality it is the intention of the British to hold the reins tighter and for their own benefit to keep India under subjection as long as they possibly can.

Government will not see that by their attitude and the methods they follow they are allowing the ground to slip under their very feet. They are antagonising their best supporters, the very men who have helped them throughout and particularly in working the reforms. Government want Indians to co-operate. Has Lord Birkenhead co-operated with us? Or is he not, at short intervals sending out threatening messages to India? They revel in going counter to their feelings and their wishes. If they took the people with them in all they did they would have the strongest support of the country. Take two instances. Take the Reserve Bank Bill. I am sorry the Finance Member who was here a little while ago is not now present. I happened to be the Chairman of the Joint Committee to which was referred the Reserve Bank Bill, and I say that he tried to meet public opinion to the best of his ability, but unfortunately, as far as we can judge, he was overruled by the Secretary

[ Sir Phiroze Sethna.]

of State. Is that co-operation ? Take the Statutory Commission. Are they co-operating with us ? They deliberately flout our suggestion and can they therefore complain that India is not co-operating with them ? They are the losers thereby. Less than five years ago no one would have dared, even in the Congress meetings, to put forward a Resolution recommending independence. At the last meeting of the Congress two months back the Independence Resolution was passed I believe unanimously and persons of the eminence of Pandit Motilal Nehru and others openly supported this aim during the debate in the Assembly five days ago which they would never have done even as recently as two years back. If we have come to this pass Government must thank themselves for what has happened and what may yet happen hereafter. It is all Government's fault to my mind. Repressive measures will no longer avail and a conciliatory policy must be the order of the day. I certainly believe in an honourable association of England and India as equal partners. I believe that beneficent results are bound to accrue to India and England if they work in co-operation, provided England does not subordinate Indian interests to her own as she is doing. I also believe that India has certainly gained by her association with England just as much as I hold that England without India can never be a first-rate power in the world. I would therefore say, let both work with mutual good will and co-operation and if England makes promises let her not treat them as pie crusts. Let her live up to her professions and help to enable India to secure self-government within the Empire at the earliest possible moment ; otherwise the gulf will widen and " the little rift within the lute will by and by make the music mute."

Sir, before I sit down I should like to answer Sir Maneckji Dadabhoy in regard to his contention that the Labour Government was entirely in favour of the views of their leader, Mr. Ramsay MacDonald. May I refer him to the Free Press Bulletin issued this very morning at 9 o'clock in which it is said that

" the rank and file of Labour Party to whom speeches have been made available."—

There is the insinuation here that speeches made in the Assembly from our point of view have not been made available to the British public—

" .... to whom speeches have been made available are full of sympathy and regret autocratic outlook of their Party Leaders on Indian question. Only solace they are able to offer to Indian people is to say that they suffer themselves under autocracy of Tory as well as their own parties."

May I before resuming my seat also read from the same Free Press Bulletin another telegram which is pregnant with meaning ? I need make no comments on it ? It is dated London, 21st and reads :

" Commenting on Assembly debate on Statutory Commission *Liverpool Post* says verdict is highly regrettable. Commission quite inadvertently no doubt lent even appearance of ignoring popular Chamber. The argument that anti-Commission agitation is conducted by minute fraction of community ought not to obscure the fact which is of vital importance that it is this fraction which impresses the masses. What is achievable by resolute capable minority has been shown in Russia. It is questionable whether Indian extremists are men able to foment strife efficiently but can at any rate make things difficult for Indian Government, ultimately for Great Britain."

THE HONOURABLE SIR ARTHUR FROOM: Sir, I should like to congratulate my Honourable friend Sir Sankaran Nair on what I think I might rightly describe as one of the most statesmanlike speeches we have heard in this Chamber. He saw with a clear vision where the interests of India lie, and seeing that, he took his courage in both hands and advised Members of

this Council what in his opinion and in the opinion of most of us is in the best interests of India. I listened with interest to the speech of my Honourable friend who sits behind me, Sir Phiroze Sethna, and I can only say that speeches of this nature allied with speeches as reported in the Legislative Assembly are such as to stir up strife in this country. (*An Honourable Member* : "Question"). What is the whole crux of this matter? What is the whole crux of the opposition to the Simon Commission? It is merely the omission of Indians from that Commission.

THE HONOURABLE MR. V. RAMADAS PANTULU : No ; more than that.

THE HONOURABLE SIR ARTHUR FROMM : Now let us take a practical view of this. How many Indians would you require on a Commission to represent every party, every community, every section, in this great country of India? How many Indians would you want on the Commission to represent all these interests? Then if you get Indians on the Commission, you have got to have the Anglo-Indians, you have got to have representatives of the Indian Civil Service, you have got to have representatives of men who have served their life in India. So what did the Parliament at Home do? They took the wise course of appointing a Commission selected from men who have never taken part in the administration of India, and who have never taken part in its politics.

Sir, another point in connection with a mixed Commission is this. You, Sir, and myself are the only Members in this Council now who sat on the Muddiman Committee. I have a very clear recollection of the work of that Committee. I have a very clear recollection of the impossibility of the work on that Committee. And why? Because from its very start it was divided into two camps. I am not laying the blame on either one camp or on the other camp. And why was it divided into two camps? Because that Committee was composed of men on both sides who had given voice publicly to their opinions on the political situation of India and they were not going to reverse those opinions in Committee. We had men of great influence in India come up and give evidence before us. But what happened? When, in reply to a question, the answer forthcoming was not in agreement with the opinion of the questioner, that answer was at once smothered and another question was put. That is my vivid recollection of the Muddiman Committee. And would you like a Commission which would of necessity be divided in a similar manner? Is it not better for the benefit of India to have a Commission of men selected by the British Parliament, men of a clear understanding but new to the difficulties of India?

Another point, Sir, in connection with the speech of my Honourable friend who sits behind me challenging the constitution of the Simon Commission and referring to the verdict of all English-speaking people. This House must not forget that that Commission is representative of the three great political parties in England and has been acquiesced in by the three great political parties of England, by the Conservative Party, by the Liberal Party and by the Labour Party. And what do you think the British Parliament is going to conclude? What lessons are they going to learn from the action of any party in this country which refuses to listen, to see, to welcome, to have any converse at all with a Commission that has been elected by the three great political parties of Great Britain?

I would now like to turn, Sir, for a moment to Sir John Simon's letter in which he set forth the procedure of his Commission. What, I ask this

[Sir Arthur Froom.]

Council, could be fairer than a Joint Free Conference? And what I want this Council to remember is that with a Joint Committee elected from the Indian Legislature, sitting side by side with the Commission, there is the opportunity of two reports. These reports need not be controlled by either side. I hope we will have a Committee elected from the Indian Legislature, which must have its influence on the report of the Simon Commission. What is the next step? The Simon Commission issues its report. The report goes Home and it is laid before the Parliament in England. The report of the Indian Committee equally can go Home separately or jointly, according to Sir John Simon's suggestion, with the report of the Simon Commission. That can and will be considered at the same time as the report of the Simon Commission. But the Simon Commission at that stage is finished. What is the next stage? These reports are handed over to a Joint Committee of the British Parliament for consideration: a delegation from India is to be invited to consider those two reports. In reply to those who say that the interests of India, that the opinions of India have not been adequately provided for, I say they are wrong and that they have no clear perception of the situation at all. But there is one particular point in Sir John's letter and that is to which I would like to refer—what I think was immediately seized upon as a point of objection,—the hearing of evidence in camera. Well, it is not a one-sided suggestion. The Indian Committee also would be entitled to hear evidence in camera. . . .

THE HONOURABLE SIR PHIROZE SETHNA: We do not want it.

THE HONOURABLE SIR ARTHUR FROM: You may not want it. What do you think was at the back of Sir John's mind in making this reservation? He was not making it in the interests of his Commission, but he was making it in the interests of certain people who otherwise might hesitate to come forward and give evidence. My Honourable friend, Sir Sankaran Nair, has already touched on that point. I do not know how many members in this Council recollect the Southborough Committee. It was a Committee on which sat two very eminent Indians, Mr. Srinivasa Sastri and Mr. Surendra Nath Bannerji. . . .

THE HONOURABLE SIR PHIROZE SETHNA: It was not a Statutory Commission.

THE HONOURABLE SIR ARTHUR FROM: When the Committee visited Madras the non-Brahmins refused to come and give evidence because these two gentlemen were members of the Committee. Let me read what Dr. Nair said:

"I further take exception to the constitution of the Committee, specially to the non-official Indians thereof, and I am not anxious to be sat on in judgment by my political opponents."

Also that Committee received a letter from a certain Madras Association saying:

"We would appear before the Franchise Committee provided the two persons, Messrs. Srinivasa Sastri and Surendra Nath Bannerji, to whose presence on the Committee we have already objected, are removed from your Committee before our appearance before it."

Now, Sir, is it unreasonable to think that some situation of that description might be in Sir John's mind when he reserved the right to examine witnesses



in camera, which right applies not only to the Commission but also to the Indian Committee. What was the result of the boycott of that Committee by the non-Brahmins? What is the result of any boycott? It never does anybody any good. Do you think this general boycott in India is going to do the would-be patriots of India any good? (*An Honourable Member*: "Yes.") I have not heard from the speech of any Honourable Member how this boycott is going to do any good. I do not want to beat a big drum..

**THE HONOURABLE SIR PHIROZE SETHNA**: You will not have a repetition of exclusion of Indians hereafter.

**THE HONOURABLE SIR ARTHUR FROMM**: I do not want to beat a big drum, but I have never known the British Parliament frightened...

**THE HONOURABLE MR. G. A. NATESAN**: (Madras: Nominated Non-Official): That is incorrect history.

**THE HONOURABLE SIR ARTHUR FROMM**: If you put the British Parliament's backs against their wall, there would be considerable delay in any advance towards self-government in India. What was the result of that small boycott in connection with the Southborough Committee? The Southborough Committee could not report anything in favour of the non-Brahmins. The non-Brahmins went home and presented their case to the Joint Committee of the British Parliament. They would not present their case before the Southborough Committee because of the two Indians on it, but they went home and presented their case to the Joint Committee of the British Parliament. (*An Honourable Member*: "Lord Sinha was there.") I wonder if any of these present boycotters would go home and give evidence before the Joint Committee.

One more reference and I have done. I am sorry to have heard a certain word used by the Honourable Member who sits behind me—the word I have heard used, the word I have heard freely bandied about in the other House, is "insult". I wonder if Honourable Members remember the reference to this in the most excellent speech of His Excellency the Viceroy. He said:

"But honour and self-respect are not enhanced by creating affronts in our imagination, where none in fact exist. For the essence of any such offence, as of rudeness in private life, lies in the intention behind the act, and no reasonable person would dream of blaming the conduct of another where the intention of discourtesy was lacking."

Insult! You have heard what the British Parliament has said about the suggestion that their action was an insult to India. Let me carry this word "insult" a bit further. Would you not rather describe the attitude of having nothing to do with the Simon Commission as an insult to the British Parliament? What insults have the British Parliament offered to India? The President of the Legislative Assembly was in England last year, and I was in England too. He received every courtesy at the hands of the Speaker of the House of Commons; he received every courtesy there from the members of the House of Commons. I attended many luncheons and dinners at which Mr. Patel was the principal guest. Was that an insult? I would suggest to Swarajist Members to be more careful before you use the word "insult"; it may recoil upon themselves.

**THE HONOURABLE MR. RAMADAS PANTULU**: What is the threat? How does it recoil?

**THE HONOURABLE SIR ARTHUR FROMM**: This House will be judged by its decision to-day. It may or may not be judged by the Commission;

[Sir Arthur Froom.]

it may or may not be judged by the British Parliament ; but it will be judged by public opinion not only in this country but in England and throughout the world.

The Council then adjourned for Lunch till Twenty Minutes to Three of the Clock.

---

The Council reassembled after Lunch at Twenty Minutes to Three of the Clock, the Honourable the President in the Chair.

### UNVEILING OF THE PORTRAIT OF LORD READING.

**THE HONOURABLE THE PRESIDENT :** Most of the Honourable Members of this Council are aware that three or four years ago a public spirited gentleman of the province of Bihar and Orissa offered to the Council of State a portrait of His Excellency Lord Reading. That offer was accepted and the portrait has now arrived, and His Excellency the Viceroy has graciously consented to unveil it to-morrow morning. The ceremony will take place in the central domed hall or library at 10-30 A.M. to-morrow and I should be glad if as many as possible of the Honourable Members of this Council would make it convenient to be present there, and if they would arrive so as to take their seats at least 10 or 15 minutes before His Excellency the Viceroy is due to arrive.

---

### RESOLUTION *RE* THE STATUTORY COMMISSION—*contd.*

**THE HONOURABLE SRIJUT LOKENATH MUKHERJEE** (West Bengal : Non-Muhammadan) : Sir, I rise to strongly oppose the amendment as well as the Resolution and in doing so I humbly ask the Council to express its completest want of confidence in the Parliamentary Commission that has been appointed to inquire into the working of the Reforms. Sir, considering the character and composition of the Commission and the wanton disregard of our known feelings and sentiments by the rigid exclusion of every single Indian from this body, none need wonder that I should ask a grave, sober and professedly moderate House like this to oppose both the amendment and also the Resolution. My reasons are broad and obvious. I take ground first of all upon the elementary political consideration that the nation for which a constitution is intended should have a dominant if not exclusive share in framing that constitution. It may be said—it has been said—that after all the Simon Commission will not actually frame the constitution for India, that that work first and last must be performed by the Imperial Parliament, that the Simon Commission will only collect data and submit a report in which they will only include a faithful account of the opinions and aspirations prevalent in India, and that therefore it does not very much matter whether the Simon Commission does or does not consist of a majority of Indian members. Granting that the facts assumed in this argument are correct, the argument itself, to my mind, only fortifies the position which we, Indians, have taken up in the matter of the Parliamentary Commission. Even if it is admitted that the British Parliament has an ultimate and definitive voice in shaping the political constitution of India, does it not stand to reason, all the more, that the work of preparing the preliminary and draft report, so to say, should have been entrusted to a body wholly, solely and exclusively Indian ?

Sir, I fail to see what practical difficulty such a step could possibly have presented. Nay, I venture to think that it would have avoided the thousand and one difficulties and complexities that have arisen, now that we have got a

Commission exclusively British in its character and constitution. If the Commission had been wholly Indian instead of being wholly British, it would have had the inestimable advantage of presenting a purely Indian point of view before Parliament, and with that Indian point of view right before its eyes, Parliament would have been in a far better position to shape the Indian constitution than now it can ever be.

In the course of a highly disappointing speech delivered by the Secretary of State for India in connection with the Parliamentary debate on the Simon Commission, His Lordship gave us what evidently he was pleased to regard as reasons in support of the all-British character of the Commission and I hope the House will permit me to touch within the briefest compass upon some of these reasons. One of His Lordship's arguments was this—that Parliament could not disavow its ultimate responsibility for the governance of India. Sir, this is an impudent assertion which Lord Birkenhead would have us accept with meekness. India is not morally and spiritually dead and howsoever Lord Birkenhead may fret and fume and boil, India will stick to the boycott. We know that at the present moment Parliament's ultimate reserve of power as regards governing India is supreme and absolute and that power remains. What a considerable section of people therefore now want, is power and responsibility on a far lower plane, power to present their own case after their own fashion—power to draw up a constitution such as they think will be best suited to meet the complex, growing and manifold needs of their body politic.

Sir, another of His Lordship's arguments—and it is this which seems so peculiarly jejune and school-boyish—is that it would be impossible to get together a Commission which would be completely representative of India. I know—everybody knows—that you can never get together a representative body as regards which somebody may not get up to say that it does not represent him. But we are not dealing with childish trivialities; we are dealing with the realities of practical life. And does His Lordship want us to believe, as a sober and practical proposition, that it is impossible to get together a body which would be fairly and adequately representative of India? The reply of His Highness the Agha Khan would be conclusive on the point. Speaking to a press representative at Bombay, His Highness is reported to have said that he could, offhand, enumerate a score of names to whose representative character there would not be the least breath of objection in India.

Sir, so long all my objections to the Commission were based on the assumption, at least to a certain extent, that ultimate responsibility rests with the British Parliament. And this, Sir, is certainly one viewpoint. There is another viewpoint from which objections have been raised and rightly, against the Commission. The objection of Indians to the scheme of the Commission from this viewpoint is vital and fundamental. We Indians demand the full right of self-determination. We demand the right to govern ourselves and to determine the Government that will suit us best, unhampered by any foreign authority, untrammelled by any foreign interests. On this matter, Sir, to give the devil its due, I should say, Lord Birkenhead is more honest. In his speech in the House of Lords he stated his position clearly and plainly and in unequivocal terms. He said :

“ But let it be plainly said, and it cannot be too plainly said, that Parliament cannot and will not repudiate its own duties, its own responsibility in this matter. If anybody seriously supposes either here or in India that we are mechanically to accept a constitution without our own primary and ultimate responsibility for judging upon it, they have no contact with the realities of the actual situation.”

[Srijut Lokenath Mukherjee.]

But, Sir, it is this very responsibility of the British Parliament which every self-respecting Indian disowns. It is, I have no hesitation to submit, the inalienable right of Indians to frame their own constitution. The British Parliament, or for the matter of that, the outside world may buy peace with India by recognising and respecting the Indian-made constitution for India. The very idea that Britishers will dictate to us the law of our life has become repulsive, and in spite of hypocritical persuasions and covert threats from high quarters, India is determined not to be a party to her own humiliation. No sophistry will explain away the fact that the Commission does not come here in response to our own invitation, but has been thrust on us by outsiders who claim to be ultimately responsible for our destiny.

Sir, I shall now deal with the letter of Sir John Simon addressed through the Viceroy of India to the gentlemen of the Legislature. Sir, it has been observed in the other place, by the faithful ally of the Government, the leader of the European group, that we have dismissed the letter of Sir John Simon, to quote his own words, with 'indecent haste'. We have been told that the 'indecent haste' was due to our fear that there might be waverers in the country who might be caught in Sir John Simon's trap. If so, surely the leaders on our side are as intelligent and wary as Sir John Simon. If they did not want the country to listen to the Simon song, that is politics and high diplomacy—that is bearing our opponent with his weapons.

Sir John's was a plain, patent game—a game in which the Liberal and Conservative politicians of England have been notorious adepts. He came with prepossessed notions. He had knowledge of the atmosphere which was in store for him here. He knew that patriotic India possessed some waverers. And he thought—he whose name has been carefully advertised as one of our future Viceroys by the diplomatic press—he could throw a bait for these waverers, the bait of equality in words but inequality in reality. But in the splendid words of Acton, splendour of words cannot do duty for reality. If there was any reality in it, a prolonged consultation might have become necessary. There was not only no reality about what I may call the concession to India's weakness in that letter, there was no originality even, there was nothing new in it of which the ordinary newspaper reader was not aware. There was nothing new which the country had not known before and examined and rejected. There was nothing new in it to those who had cared to go through the speeches on the Parliamentary Commission debate last December. Sir, the phrase "Joint Free Conference", we learn, was freely used in the lobbies of the House of Commons. It occurred in the message sent out to India blessing the Simon Commission and exhorting the Indian people—the message of the Chairman of the Labour Party. The Simon letter was also forestalled in an article published in a New York Journal and widely reprinted in India. Therefore, Sir, it is idle to pretend that the letter was not given adequate thought. We asked for good bread whereas the letter gives us chaff and plaster.

Is there anything new in that letter which we do not find in the statement of the Leader of His Majesty's opposition in the House of Commons—Mr. Ramsay MacDonald or in his article in the *Nation* of New York?

Sir, I shall not encroach upon the time of the House by reading the statement and the article referred to above. I shall only say that there is nothing fresh, unknown and unpremeditated in Sir John's letter. Sir, let not therefore the charge of "indecent haste" be hurled at our door. Sir, it has been asked what is our reason for not accepting the terms of Sir John Simon? Sir, we

carefully considered the points of procedure of which there had been disappointing disclosures on the other side of the ocean. The letter discloses the limits beyond which the Simon Commission cannot go. They have to act "within the framework of the Commission" as Mr. Baldwin and Lord Birkenhead have told us. And within the framework is a steel frame as Sir John has reminded us rather indirectly. If his object was to put into practice the Morleyan idea of "rallying the moderates" and not the few ever-rallied "*ex-officio* Loyalists", his letter to His Excellency the Viceroy has done everything to frustrate it.

Sir John was generous in agreeing to publish the Indian Report as an appendix to the Commission's main Report! British generosity could hardly go further! But Sir John in his mood of generosity has not altogether forgotten himself. There must be occasions, he knows fully well, when he will have to withhold certain evidence from the Indian Committee. He is ever conscious that his Indian colleagues cannot possibly share with the Commission the knowledge of the ugly secrets of the War Office, the conspiracies of the India Office or the currents or cross-currents in the gutters of the Secretariats.

Sir, I have already taken a good length of your time, but before I finish I hope the Chair will kindly allow me a few minutes more to make one or two general observations.

Lord Birkenhead has no doubt whatsoever that the framers of the Government of India Act of 1919, when they provided for a Commission, thought of a purely Parliamentary Commission. In the language of my Honourable and esteemed friend Mr. Jinnah, I should say "Surely Lord Birkenhead has not forgotten that elementary canon of construction that a statute is governed by its words and its words alone". In reply to Lord Birkenhead's remarks—"they did not so state it, because they thought it so obvious", Mr. Jinnah again says:

"Apart from its illegality, this is a dangerous precedent to create. If in future statutory Acts are to be interpreted not according to the sense of the words therein, but by vague surmises as to what was presumably in the minds of its authors, it would be importing a possibility such as would permit of every existing Statute in the realm being travestied. And as a constitutional lawyer, Lord Birkenhead should be the first to realise the folly of taking his stand on such premises."

Sir, the Commission, we learn, had been sent to try our fitness for Swaraj after 175 years of British rule in India. It is indeed very strange! But, Sir, we want Swaraj and not a Commission to try our fitness to govern ourselves.

Sir, in this connection I cannot but help referring to a serious question put in the other place by my esteemed friend Pandit Madan Mohan Malaviya and which has gone unreplied. Sir, Panditji asked Government categorically, and I also again ask the Government, whether it was not true that the first suggestion of a Parliamentary Commission was made by the Government of India, that the legal opinion expressed by the Government of India's advisors stated that the Statute did not shut out Indians, that names of 5 or 6 Hindus were actually recommended for the membership of this Commission, that the Honourable the Law Member of the Government of India was in favour of the exclusion of Indians, and that it was to the credit of Sir Muhammad Habibullah that he opposed the exclusion of Indians and warned the Government of boycott?

Sir, if the above facts are true, I should say that the Honourable Mr. Das has not only injured the high honour and great prestige of the province of Bengal—the province to which I am sure the Honourable the Law Member is himself proud to belong,—but has also done the greatest disservice to the country as a whole.

[Srijut Lokenath Mukherjee.]

Sir, in bringing my remarks to a close, I need only say that the great camouflage of the Statutory Commission is only one of the many rude reminders of the fact that neither charity nor generosity, nor justice or fairplay rules Empires. Sir, those in India who go to sleep over the idea that the mutual relations of England and India can and will be adjusted by mutual "consultation" or will eventually be solved by England's generosity must shake off their intellectual laziness and spiritual lethargy and awake to the simple lessons of history and the warnings of common sense. The British Empire in India and Indian freedom are contradictory propositions and one can prevail only at the expense of the other.

Sir, the West knows of no liberty which is only claimed rather than asserted. It has been truly said "Conservative, Liberal or Labour—they wrangle and quarrel over non-essentials, but once they are challenged in a vital matter even the mealy-mouthed hypocrites of Labour creeds stow all their bundle of creeds away and show themselves as zealous imperialists as any that breathe." It is in the interest of India, therefore, in the interest of India's future destiny, in the interest of her life and freedom and all the sentiments and principles that she holds dear, to shun the Commission. In the scheme of Indian life, of Indian aspirations and of the struggles of the Indian people for full, free, unfettered existence, in the march of India towards progress and the achievement of Swaraj, Sir John, his Imperial Mission and his Royal Commission have no *locus standi*.

THE HONOURABLE MR. H. G. HAIG (Home Secretary): Sir, I should like to preface my remarks by a few words about the actual terms of the Resolution and the amendment that are before the House. The Honourable Mr. Chari's Resolution recommends to the Governor General in Council to urge upon His Majesty's Government to form a Committee in connection with the Royal Commission on Reforms—a Committee which is to perform certain functions. The Honourable Mr. Ramadas Pantulu rising to a point of order suggested that in effect it was impossible for His Majesty's Government to take such action. I certainly would not go so far as my friend in saying that it would be impossible for His Majesty's Government to take any action. But, Sir, as a practical proposition I think that this House must recognise that it would not be consistent with anything that has hitherto been done for His Majesty's Government to form a Committee at this stage. We must remember that the decision of Parliament was to

entrust this great inquiry to a Royal Commission. They indicated the lines on which they hoped that the Royal Commission might be able to prosecute their inquiry, but, having indicated those hopes, they left the inquiry and the procedure, as they were bound to leave them, to the Royal Commission themselves to determine. The Commission have already issued a very clear statement explaining their procedure, and I think the House will recognise that from the practical point of view it is not possible for any recommendation of this sort to be made to His Majesty's Government. The Honourable Mr. Chari has mentioned certain matters in connection with the procedure which he thinks are not yet satisfactorily cleared up. It appears to me, Sir,—I think it is the experience of most persons who have had to deal with affairs—that at the beginning of any proceeding matters of form loom very large, but that, as soon as people begin to get down to work, these matters of form recede. If the work is done in the right spirit there is not likely to be any difficulty in matters of form, and I suggest, Sir, that we should leave the matter there. The amendment by the Honourable Sir

Maneckji Dadabhoy carries the matter one stage further. He asks the Government to take steps for the election of representatives to participate in the Joint Conference. In other words, the amendment accepts the principle of the suggestions put forward by the Commission and expresses the determination of this Council to utilise the machinery. Sir, I trust that this sane course of action will commend itself to this Council, and that thereby this Council will give a lead to a great body of opinion which lies in my judgment submerged at the moment under political clamour. The Honourable Mr. Chari approaches the subject from a definitely practical point of view, and in the powerful and arresting speech to which we listened this morning from the Honourable Sir Sankaran Nair it was explained in the most cogent manner how the action which is suggested to this House is entirely in the interests of this country. I know, Sir, that there are many who put about the doctrine that there is some natural antagonism between the interests of the Government and the interests of the country. That is a doctrine which I emphatically repudiate but, if for a moment one were to assume that there was any such distinction of interests, then I say that it is in the interests of this country that a Committee should be formed to co-operate with the Commission, to place before the Commission the views, the arguments, the aspirations of political India, or of India as a whole.

Sir, I do not propose to consider whether the particular scheme of the Commission which commended itself to the British Government was the best that could have been devised. Serious differences of opinion have existed on that point. But at any rate I do claim that the scheme was intended to provide, and in effect it has provided, for a very close participation of representative Indians in this vital inquiry. I shall assume, Sir, that in this Council it will not be disputed that an inquiry into the future constitution is necessary. It is true that some leaders would apparently suggest that it is sufficient for them to meet in casual conclave, to produce in a few days, or possibly in a few weeks, a scheme, a collection possibly of formulæ or of political catch-words, and to say that that is the solution and that no further inquiry is needed. But, Sir, I do not suppose that that is a contention which will be advanced in this Council. And if an inquiry is to take place, as surely it must take place, should it not be conducted with the most intelligent and sympathetic understanding, and should it not provide for the closest contact between different points of view? That, Sir, I contend is precisely what the present scheme does provide. You have on one side the British element, representative of all parties in the British Parliament and thus an epitome of the British people. You have on the other side the element representing the Indian Legislatures who, so far as we can make such a claim at the present stage of political development, represent the interests of India. It is contemplated that those two elements should meet and deliberate day by day. Whoever may have to complain of such an arrangement, whereby the Indian element in this important conference is provided by the representatives of the various Legislatures, surely it should not be political India? Unfortunately, Sir, the Legislative Assembly have recently declared themselves opposed to this scheme and announced their intention of having nothing to do with it. I listened to the debates in the Assembly with great interest and towards the close of the discussion when the Honourable Mover was summing up his case in an atmosphere of considerable excitement and in impassioned tones he declared that a vote given against his Resolution would be a vote against Swaraj. Well, Sir, I do not know whether it was supposed that a vote given in favour of his Resolution produced Swaraj. It is a matter which I have tried to reflect upon: what really did those who supported that Resolution and who carried it—those 68 gentlemen—what did they really think was going to follow as a result of that Resolution?

[Mr. H. G. Haig.]

It seemed to me that there were possibly three lines of thought. I heard one Honourable Member hinting in no obscure terms that what would follow the Resolution would be the methods of the revolver and the bomb, an invitation to a foreign country to come in and take the place of the British. Well, Sir, I do not propose to insult the intelligence or the patriotism of this Council by dwelling on such a suggestion as that.

The second line of thought which I think may have been present in the minds of many was the idea that by insisting on a Resolution of this nature they would be able to bring such political pressure to bear on the British Government that even at this late moment they might revise their scheme. Well, Sir, there are many people in this country who believe and who are being taught day by day that nothing can be obtained from the British people except by methods of force, not necessarily physical but moral force, and that the British people can always be induced by such methods to change their mind. I do not myself, Sir, accept that reading of history. But in this case, surely the omens are very adverse to that view. I need hardly remind the Council that all three parties in the British Parliament have agreed in accepting this scheme. Within the last week or 10 days we have had the clearest re-affirmation of their position from the Leader of the Labour Party and from the Secretary of State speaking on behalf of the Government. I trust, Sir, that any persons who think that by maintaining a boycott and refusing to co-operate with the Commission they will be likely to change the scheme of the Commission will realise now that they have made a miscalculation and will discard a weapon that has broken in their hands.

But, Sir, I think there is probably a third line of thought. There are, I am convinced, those who recognise that the boycott is not likely to modify the decision which has already been taken, but who say nevertheless, "Our views have been disregarded; we will have nothing to do with it." Well, Sir, Indians are a proud people, a sensitive people, and I am prepared to believe that some Indians have been genuinely hurt by the decision that was taken. I think that their resentment was very largely caused by a certain misapprehension of the real functions which it was intended that the Committees of the Legislature should perform. Nevertheless, those ideas which I should have thought would have been very largely removed by the clear statement made in Sir John Simon's letter, those ideas have taken hold of a certain number of people. Their feelings are wounded. But, Sir, even in the individual relationships of life I think we realise as we grow older that it is unwise to let our conduct be dictated by our passions, and surely, when we are dealing not with individual relationships but with the most vital interests of a great country, we should hesitate before allowing our conduct to be directed by any feelings of resentment. I would urge each Member of this Council to ask himself the plain question, a question to which I have hitherto seen no adequate answer, "How am I going to advance the interests of my country by abstaining from participation in this inquiry?" As I said, Sir, I have heard no adequate answer to that question, but I did hear an answer interjected this morning by the Honourable Sir Phiroze Sethna. I do not know whether on further reflection he considered it was a good answer. It was to this effect, that at any rate the British Government would never do such a thing again. Well, Sir, here we have an inquiry of the most far-reaching and vital importance to the country. We have India, as has been said, at the cross-roads. It seems probable that the outcome of this inquiry may mark out the line of development in this country for many, many years to come, and my Honourable friend says that he will abstain from taking any part in this inquiry, abstain



at this crucial moment from throwing his influence into the scale, merely in order that if at some future time, which may never occur, there is another inquiry, his influence may be somewhat stronger. I do not know, Sir, whether really any of us contemplate an unending series of inquiries convulsing the country. I doubt whether such an idea is in the mind of the Government. I doubt whether such an idea is in the mind of the Government's opponents, for I seem to remember in connection with the Muddiman Committee that the Minority Report recommended that steps should be taken to place the constitution on a permanent basis, and that, Sir, if I may venture to say so seems to me a reasonable proposition. Therefore, my point is that here we are with this inquiry about to start which may possibly affect the future development of India for many years ahead, as far as we can foresee, and my Honourable friend says that he will not participate in it because he would like to influence the British Government next time. After the Resolution had been passed in the Assembly, I noticed that the leaders of the parties which had joined in passing it issued a statement to the Press which I studied with some care. Their final recommendation for action appeared to be to prepare a draft constitution with the maximum amount of agreement and to work for its establishment. Well, Sir, how do they propose, how do any Honourable Members who sympathise with them propose, to work for its establishment? I put them a plain question, do they propose to work for its establishment constitutionally or unconstitutionally? If they propose to work unconstitutionally I have no more to say, but if they propose to work constitutionally, how can they work otherwise than by putting their scheme before the great constitutional instrument which Parliament has devised and which is now in operation for the purpose of examining this very question. Do they realise that they are throwing away by their abstention something which is really of vital importance to the future of their own country?

It seems to me, Sir, that there are three very definite positive advantages to be gained by taking advantage of the procedure which has been indicated. In the first place, surely no man with experience of affairs could doubt that by forming a Committee of this character which would collaborate in the manner indicated with the Royal Commission, you would have the opportunity of influencing, and influencing profoundly, the character of that report. I need not enlarge on this subject; I could not equal the cogency with which this aspect has already been placed before the Council this morning by the Honourable Sir Sankaran Nair with all the wealth of his experience and the weight of his patriotism. But, surely, we must all realise that difficulties which may seem insuperable when we hurl opposite points of view at each other from different platforms are found very often to be susceptible of arrangement when men sitting round a common table realise, as I think they realise in no other way, the point of view of those who differ from them and thereby gradually arrive at a satisfactory decision which really represents not the original view of anybody, but a joint view which is acceptable to all. Well, Sir, those who do not wish to adopt this procedure are throwing away that chance. The second matter is one which represents my own view. I do not know whether it will commend itself to this Council. There is one question, perhaps the most difficult and important question now before the country, which is never absent from the minds of those in the Home Department and is a constant source of anxiety to them—I mean the relations between Hindus and Muslims. My own personal view is that the manifestations of hostility that we see at the present time have for the most part a political basis, and if that diagnosis is correct, it is not likely to yield to anything but political remedies. Now, I admit that from time to time efforts perfectly genuine and whole-hearted are

[Mr. H. G. Haig.]

made on both sides to arrive at some accommodation. But I believe that if this problem is soluble at all, the most hopeful method of approach is for the representatives of the Hindus and the representatives of the Muslims to sit round a table with the representatives of the British people and endeavour to arrive there at some scheme of accommodation which they will genuinely be prepared to accept and which the representatives of the British people consider will be a genuine arrangement. The British element would act as conciliators and arbitrators. Whether any such scheme is practical or not I do not know, but I feel that the best chance of getting out of this rut in which we are at present is by co-operation with the Royal Commission. And, finally, Sir, I think that by associating themselves with the scheme which has been laid down the people of India would secure the moral support of the British people. I would remind this House that the claim for self-government is in its essence a moral claim. It rests on a moral basis, and such progress as it has made in the past has been, I think I can assert confidently, very largely due to the moral appeal which it has made to the British people. I know that there are many who would contend that the reforms had their origin in a war-wearyed people who were no longer able to withstand the pressure brought to bear on them. I believe that that is an entire misreading of history and the temper of the British people. I think, on the contrary, that the reason why the reforms took their origin at that particular time was that the ideas of the British people had been profoundly stirred by the war. That there was a vivified moral atmosphere, and it was in that vivified moral atmosphere that the idea of advancing the cause of self-government received such wide support in Great Britain. It has been said by some Indians who have recently visited England that there has been a stiffening of opinion in Great Britain against India. I do not know whether that is so or not, but if it is so, I would ask the House to reflect on its probable causes. Is it likely that the character of the British people has suffered a sudden and remarkable change, that the ideas which favoured self-government some years ago have suddenly disappeared? Is it not more probable that if there is a change of opinion, it is not that the character or the essential views of the British people have changed, but that this represents a natural reaction to certain phenomena recently seen in India? May it not be that when their overtures are rejected and scorned, when they are met by the language of menace or by the poison gas of distrust, that they naturally react in a manner unfavourable to Indian aspirations. It is, Sir, in the sincere and genuine hope that no such disaster will overtake the relations of the two peoples and the legitimate aspirations of many sane and patriotic Indians that I urge this Council to vote for the amendment.

\*THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative) : This is an important occasion and I do not like to give a silent vote. I will therefore mention a few considerations which weigh with me and I believe weigh with many others of my friends here. I was sent to the Council by my people telling me to do the best thing I can for my country. Beyond that they gave me no further mandate. So I have been asking myself a question as to how I can do the utmost for my country. I have answered that question in my own way, and I shall indicate to the Council the considerations that weigh with me. The present situation has been described as menacing and desperate. For the sake of argument I concede that it is desperate and menacing. Then, if I keep away and do not attempt to bring things to the right pass, things will go wrong. If, on the other hand, I appear and say what representations

---

\*Speech not corrected by the Honourable Member.

should be made it is possible things may change in my favour. Therefore, it is my duty to meet the situation as it arises and do my best to induce the Commission to grant us further instalments of reforms. If I keep away altogether, it may be misleading and they may do nothing. It is one of the maxims of Indian medicine that while the body and soul are together the doctor should go on prescribing, however desperate the case may be. (Here the Honourable Member quoted a Sanskrit sloka). So long as the pulse is beating, you had better go on giving the medicine. The man may survive. If you do not do this, the patient may pass away. Take another example. I am a lawyer by profession. I have seen a judge taking his seat in the Court say "Well, Mr. So and so. I have read the papers." Then I know I have something to fight against. It may be that the judge has conceived the case against me. In many a case I have succeeded in getting a verdict in my favour by merely arguing it. If, on the other hand, I was impressed with the idea that the judge has made up his mind and there is no use, arguing, the case would go against me. A pleader who retires prematurely in a huff because of a real or fancied insult is a bad pleader. In the same way a doctor should go on treating his patient as long as there is hope. So also a politician must be hopeful. In the present circumstances the conditions are not so bad as they have been painted. I have some experience in the matter. I was in England when the Morley Minto Reforms came in, and I was also in England when the 1919 Act was passed. I had something to do with both, though more in the latter than in the former case. Things appeared very difficult and yet we were able to approach certain statesmen in England and put a few ideas into them and they carried those ideas into effect. Now the position is much better. You do not go as an intruder but as an invited guest. You have a certain means of approach. In those days you could not argue. We could only make representations and they said, "We will take them into consideration". Some of them condescended to argue but most of them said that they would do their best. If even in those circumstances we succeeded in doing something, I have great hopes that in the present circumstances if we argue our case we shall prevail and succeed in our efforts. Taking all these things together, seeing that the main proposition is good and the amendment is good, though the amendment is a little more comprehensive than the proposition, I am prepared to give my vote to whichever comes first to the vote.

**THE HONOURABLE MR. RAMADAS PANTULU:** Sir, whenever I rise to oppose my friend Sir Maneckji Dadabhoy, I have an innate feeling somehow that I must be right. I have yet to see my friend range himself on the popular side or aid the cause of his country. So I have not the least hesitation in opposing his amendment. As for my friend Mr. Chari, he tried to imitate the great patriot and leader who spoke in the other House, Mr. Jayakar, who was for keeping the door open for negotiation on honourable terms. The door of the official spider is wide open for Mr. Chari to enter. What does his Resolution as amended ask for? It asks this Council to proceed to elect its quota of Members to co-operate with the Simon Commission. That is what Lord Birkenhead demands and that is what Sir John Simon asks for. Sir, the door is wide open for him and he may enter. There are, however, some refractory flies even in this House, which struggle hard not to enter the parlour of the official spider. There is no use of parodying the great leader of the Assembly, and it is ridiculous for Mr. Chari to speak of the door being wide open on Government's own terms.

There is one point which has been sought to be made much of by my friends Sir Sankaran Nair and the Honourable Mr. Haig. It is this. The constitution, whether it is framed by the Simon Commission or by anybody else, has got

[Mr. Ramadas Pantulu.]

to be approved by the British Parliament. How are we going to work that constitution unless we go to the British Parliament? In their opinion it is a conclusive answer in favour of co-operation. My answer to both of them is that they are very much mistaken. A constitution can be framed by the British and the Indians by agreement and the Parliament, if it is a reasonable body, and if it, as it professes to do, really stands for the freedom of India ought to ratify that agreement automatically. Sir, India will have Swaraj within the British Empire, if possible. If the Parliament does not ratify the agreement India will have Swaraj outside the British Empire, if necessary. We are for legalising our own constitution through Parliament, if possible. The way for the British Parliament to make our constitution constitutional is by agreeing to an agreed settlement between the British and the Indians. Therefore, the responsibility of making our position either constitutional or unconstitutional, in our effort to achieve Swaraj, rests entirely with the British Parliament and the British nation. It does not rest with us. Let us once for all tell them that we are determined to have Swaraj, within the British Empire, if possible; if it is impossible or necessary, outside it. The fight may be a grim and long one. It will not deter us.

Then, Sir, with regard to the various arguments advanced on either side, I was convinced by closely following the debate in the Assembly that it is an absolutely futile task for us to try and convince the Treasury Benches when they have made up their minds not to listen to us. The fact of the matter is this, the political geometry of India has two sets of axioms and postulates. My friends on the other side have one set of axioms and postulates, while we on this side have another set of axioms and postulates. The right to determine the measure of constitutional advance of India and the stages by which that advance is to be made rests with the British Parliament exclusively. Therefore, the Parliament appointed the Commission. Therefore, it is but necessary for Indians to co-operate with the Commission, and therefore to boycott it is wrong. That is the argument on the other side. We say that the right to determine the constitution of India rests not only with the British Parliament but also with the Indians, Indians in a predominant degree or at least in an equal degree, and once you recognise that factor, any Commission appointed by the British Parliament in the assertion of its exclusive rights to determine our constitution violates the fundamental principle of self-determination, and therefore Indians cannot co-operate with the Commission, and therefore boycott is right. Under these conditions is there any good arguing unless one of us gives up our axioms?

However, I shall try to meet a few points raised in the course of the debate. One point that is made much of is that all the three Parliamentary parties have blessed this Commission with their approval, and therefore it is not right for Indians to boycott the Commission. Is it a new discovery, Sir, with the experience that we have had of Lord Birkenhead's predecessors in office who have repeatedly said that India is not a party question with the British House of Commons? Have not all parties in England, without any distinction, always co-operated in their schemes of exploitation, political and economic, of India, in their interests and to promote their selfish plots against this poor and helpless country? Therefore, what wonder is there that every party in England has co-operated with the scheme. The Labourites were up against Sir John Simon when he declared from his place in the House of Commons that a general strike was unconstitutional. I only ask my friends, in the House, to read the Commons debate on the Trade Unions Bill to see what opinion the

Labourites and the Socialists had for Sir John and his politics. But now they embrace Sir John Simon and they say he is the brightest flower of the Empire and therefore they are in love with him. It is no wonder that the Labourites, Liberals and Conservatives all agree in exploiting the situation in India by taking hold of this opportunity for appointing this Commission. There is no new argument in this. Everybody knows all about it. What did Mr. Ramsay MacDonald say a few days ago about Sir John Simon when the latter was against labour strikes? What does he say now? It is futile to say that all parties agreed in the appointment of this Commission. Mr. Ramsay MacDonald is as much an Imperialist as Sir John Simon or Lord Birkenhead. Of course, all parties will agree when it is a question of perpetuating the subjection of India in the interests of England.

Then, Sir, the second point which is very much stressed is that it is impossible to have a representative Indian body on the Commission. Lord Birkenhead tells us that as many as 16 people will have to be chosen if the Commission is to be representative of Indian opinion. That is His Lordship's opinion. If Indian opinion cannot be ascertained without going to 16 people in this country, that is essentially an emphasis upon the supposed divided, weak and disorganised condition of this country. That statement is intended to lay emphasis upon the point that India is so disorganised that there is really no organised opinion in this country, and that it was no good asking Indians to frame a constitution. It is obvious that the implication of the statement is that 16 people with divergent interests can never agree to a scheme of Swaraj. That may be the mentality of His Lordship. If that is so, I cannot but characterise it as absolutely dishonest. If our differences are in political principles, may I ask His Lordship whether even his small Commission of seven is not a Commission of all political talents? There are Labourites on it who fundamentally differ from the Conservatives, who again differ from the Aristocrats who claim to govern and to sit in judgment over others by hereditary birthright. Then there is a Liberal in the Chairman. If on a Commission composed of 7 there are members belonging to four different schools of thought, is it impossible for His Lordship to put a few Hindus and Muhammadans who are partly Congressmen and partly Liberal politicians and other representatives on the Commission and reconcile Indian opinion? Why should he think that they will not agree to frame a constitution for their own country? It is being actually attempted. It is impossible to believe in the sincerity of the arguments of the British politicians who appointed the Simon seven.

Then there is the statement often repeated that Sir John and his colleagues are very honourable and impartial men, and that India should trust them. Have they given any proof of their impartiality? Their honesty and impartiality have yet to be proved. For ought we know, no British Imperialist is impartial in the sense that he will protect the rights of India as against the rights of England. We have yet to see instances of such impartiality and sincerity. There were none in the past. How can Sir John Simon and his colleagues be accepted as exceptions to the general rule? I really cannot understand it. Even the Anglo-Indian Press has already become somewhat anxious about the methods Sir John Simon is pursuing in this country. The *Pioneer* alluded in a leading article the other day to the "Hush hush" methods which Sir John Simon is following in going to the villages and manufacturing opinion evidently against constitutional advance, although the *Pioneer* does not say so. His attempt to belittle the boycott by his boast of 300 telegrams of welcome and cablegrams to England that he is getting an exceedingly good reception in India have given a rude shock even to such a champion of

[ Mr. Ramadas Pantulu.]

Anglo-Indian opinion as the *Times of India*. I only read yesterday in the *Times of India* something to this effect. This is what it says :

" It is surely far more to the point to appreciate the fact that the boycott is a reality and although it will complete its labours, the Commission will not complete them as was originally intended."

But Sir John Simon wishes to hide even that fact.

Then, Sir, Sir John Simon has also belittled the vote of the Assembly saying that the Resolution was carried with a majority vote of only 6. An experienced Parliamentarian like him ought to know that out of 100 elected Members who had taken part, so many as 67 voted for the proposition and only 33 elected members voted against it. He knows that there are 26 official automatons who have no conscience of their own, who have sold their souls to the Government of India that voted for co-operation with the Commission. How can they vote against the Commission ? They are part of the machinery which has created this Commission. Sir, I say that the vote of the Assembly is a clear indication of Indian public opinion against the Commission. It may be that it may go on with its labours because it has the weight of the British arms and Parliament behind it. Nevertheless he ought not to belittle the vote of the Assembly in the manner he did. Therefore, Sir, if any indication is forthcoming, it is, to my mind, in the direction of Sir John Simon being hand in glove with my bureaucratic friends in this country.

It is said by Lord Birkenhead and by some people in this country that those who are differing from the Simon scheme are merely a small minority, a " small fringe " as they call it of the great masses and that there are millions of Mussalmans, millions of the depressed classes, millions of business men, Anglo-Indians and others who really have abiding confidence and faith in the Simon Commission. If so, may I put a simple question to Lord Birkenhead ? If these people constitute such a negligible factor, why did His Lordship allow himself to be betrayed into an unseemly temper as he did the other day when he tried to vindicate British trusteeship by a bellicose speech ? And has Lord Birkenhead recognised the fact, and has Sir John Simon considered the fact, that this negligible minority is largely to be found among the elected representatives in the Legislatures which the authors of the Montagu-Chelmsford reforms all along claimed to be representative of all classes, communities and interests ? Such are the elected representatives in the Central Legislature, 66 per cent. of whom voted against the Commission. Will he not recognise the meaning and significance of that vote ? A man who does not do that cannot, I think, be considered impartial.

Then there is this fact, that the people who have ranged themselves against the Commission, people like Pandit Nehru, Sir Tej Bahadur Sapru, Sir Sivaswamy Aiyer, Sir Chimanlal Setalvad, and Sir Phiroze Sethna, are men who have themselves profited by foreign domination in this country. There are millions who are ruined by that foreign domination. Go to them, they will tell you what the facts are. But why are men who are profiting by foreign domination, people like us, against the Commission,—people who are attached to British institutions ? To tell us that we are all perverse and that you are the trustees of the people and that a small wicked minority alone is against the Commission, is to mislead the English people. To fool the Secretary of State and to put the British public opinion on the wrong scent, in the interests of the perpetuation of the bureaucratic rule in India is not at all an honest method.

Then if the vote of these people in the Legislatures is not representative, may I ask, in all humility, why Lord Birkenhead, Mr. Baldwin, and Sir John Simon have asked the Central Legislature to set up an Indian Committee to collaborate with the English Commission? Can these unrepresentative legislators properly elect seven men from among themselves to collaborate with the British seven and can the Indian wing so constituted be said to represent the Indian view? Can there be any meaning in that? If the Legislature is an unrepresentative body, how can 7 men taken from it claim a representative character if the idea is to get a representative Indian Committee which will collaborate on equal terms, on terms of equal status, with the Simon Commission? How can a body whom Sir John Simon belittles as unrepresentative and composed of men whom Lord Birkenhead in his speech contemptuously brushes aside as a small fringe constitute a Committee which is representative? What is this paradox? There is something wrong somewhere. He cannot argue both ways. Therefore I feel, Sir, that the plea that the opinion against the boycott is not representative is not an honest one, and so long as Sir John Simon is a party to it, I say we cannot have faith in him. And look at the tour programme of Sir John Simon who visits Madras and the Punjab first. Madras, apparently because there was communal strife there between certain communities and the Punjab for the same reason. The Government no doubt will say: "Look here, these are among the most advanced provinces. There diarchy worked well; the party system has developed. In these provinces there is some justification for the inauguration of further reforms, or a more progressive measure of advance. But see how little can be given even in these provinces with safety. And then judge about the rest of India"? It is for such window-dressing that the Commission is taken to these two provinces to begin with. Therefore to say that Sir John is free from the influence of His Majesty's Government at Home and also the Indian Government is mere camouflage. I do not believe a word of it. Sir, I do not wish to take up more of the time of the House by attempting to answer various other reasons urged in favour of co-operating with the Commission. But let me tell you that Indians are in no mood to be tempted. Self-respecting Indians are in no mood to be tempted. India prefers to follow Christ in this matter. Jesus Christ was taken by a certain well-known individual to the summit of a hill and shown the vast expanse of the world around, and told by the tempter "Co-operate with me and have faith in my methods and I will make you a monarch of all that lies before you". Christ was in no mood to be tempted. India is in no mood to be tempted by the Satan of British Imperialism which is out to kill the soul of the nation in the name of trusteeship. Let me assure you, Sir, that people in India are not in a mood to co-operate with this Commission. We cannot look upon this Commission with friendly feelings. We do not want this Commission. We do not like it. We are better without it. And as for our reasons, they were set forth by the tribunes of the people in the other place. They can be summed up in three words. *Firstly*, the nation has no faith in the *bona fides* of those who appointed the Commission. *Secondly*, the nation has no faith in the Commission itself, because in the present circumstances it cannot but be a gramophone of the bureaucracy of India and of the Secretary of State. *Thirdly*, the nation has no faith in any inquiry by a Commission, because the problem of the relations between England and India is not one that can be solved by any Commission. It is a matter for negotiation and settlement between India and England, the Parliament merely recognising it and putting it on the Statute-book. These are the three grounds on which the nation has rejected the Commission. The three grounds stand there, and to say that there is equality is camouflage. I am not going to refer to Sir John Simon's letter to Sir Sankaran Nair or his letter to the Viceroy. The facts are, there is going

[Mr. Ramadas Pantulu.]

to be evidence *in camera*, he can allow or not allow members of the Indian wing to put questions; Indians have no vote; the report of the Indian Committee occupies a subordinate place. Therefore, to say that we are enabled to negotiate on equal terms is to deceive us. It is open to Mr. Chari and others of his ilk to co-operate. But I can assure you, Sir, that they do not represent India. India not only disowns the Commission, but it disowns all those who co-operate with the Commission.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY: Sir, I rise to-day because I feel called upon to make a few observations on the amendment of my distinguished colleague, Sir Maneckji Dada-bhoj, in view of its great importance. But before I do so, Sir, it behoves us as practical politicians to examine and consider it with great clarity and prevision. Sir, the recent announcement of the appointment of a purely Parliamentary Commission has stirred Indian politicians and they are now arrayed on different sides—one against the Commission and another consisting of the sober section in favour of it. The opposition party, in the midst of its heat and activity, has been indulging in an acrimonious campaign against the other party and has refused to take a wider view of the situation in a calmer atmosphere. Their professed teachings betray their human elements when they come to the field of actualities. They have been preaching a war of boycott against the Commission. Once before they rallied under the banner of Mahatma Gandhi, that high priest of non-co-operation, and preached a relentless war against the Montagu-Chelmsford Reforms. But theirs was a cry in the wilderness, for the masses who crave for peace and contentment did not follow them. They vilified those who supported the Reforms and made a show of great movement of the country against the Reforms. The cooler and saner section of the people, who pointed out their mistakes and attempted to give reasons for co-operation was ridiculed. But their actions falsified their preachings and they gladly joined us in the Legislatures and were on the Committees. Thus their opposition broke down when they found their teachings would bring in no millenium. They felt the force of the argument of the co-operators. So at the present moment their vision has been blurred and cannot realise the situation that would follow in the trial of their propaganda of boycott. But a time will come and that at no distant date—when they will see their Himalayan blunder as Mahatma Gandhi did on a previous occasion.

Sir, the first objection of the oppositionists is to the purely Parliamentary nature of the Commission. But they have failed to meet the arguments of Lord Birkenhead why His Lordship has not included any Indian on the Commission. He was right when he said that it would be difficult to find any Indian who would be acclaimed as a true representative of the millions of Hindus, Mussalmans, Sikhs, Christians, Parsis and Jains and other minority communities. There are Brahmins and non-Brahmins, the high caste class and depressed classes among the Hindus and each class is fighting against the other for higher social rights over the other. There are Hindus and Mussalmans on the war path against each other. Is it possible, I put it to you, Sir—is it possible to find one or two or even half a dozen of Indians to represent the different communities which have sub-divisions within divisions? Even if any were actually found to sit on the Commission, there would have been a similar agitation against such selection by the disgruntled politicians. And this would have made a greater confusion. So the only course, and that is the best one, was to appoint a purely Parliamentary Commission under the presidency of that great distinguished legal luminary, the Right Honourable Sir John Simon, who would take a proper view of the

4 P.M.



Indian situation with the help of his wide experience, legal acumen, great wisdom, liberal ideas, and above all his love of justice. Sir John Simon is a guarantee against any injustice towards the Indian cause. There are two representatives of the British Labour Party and two Liberals in the Commission and two Noble Lords, and the presence of the members of these parties whose sympathy with Indian aspirations is well-known, is a sufficient safeguard against any wrong to our cause.

This was quite enough, but the British Government in its solicitude for our good, has provided for an Indian Committee to be appointed by the elected representatives of the people in the Indian Legislature, and has given to it a status commensurate with its dignity as the representative of the people of all shades of political thought in this country, for they can place the Indian view even in Parliament when finally moulding the destinies of the Indian people. This procedure shows the ingrained love of justice and fair play of the politically minded English people.

Sir, the second ground of the opponents is that the British people and their Parliament have no right to determine our capacity for self-government. As a protest against this right of the British Parliament, the Indian National Congress has passed a resolution at its last session at Madras declaring independence to be the goal of the Indian nation. But have the supporters of the Resolution pondered to imagine their lot and that of the Indian people if the British Government withdraws bag and baggage from the Indian shores? Can a nation, I ask, be independent if it cannot defend itself? Can we wrench our independence when we are without arms, without military training and the mighty British Government is equipped with the most advanced and up-to-date science of war with the best disciplined army, with its most powerful navy, aeroplanes, submarines and deadly bombs? Can the Indian subjects deny the right of their ruler to determine their capacity to rule themselves? Do they really mean to be serious when they have no military training, when lack of education and lack of money are staring in the face of the Indian people? It would be suicidal to proceed headlong in such hot haste. Sir, boycott has not been successful in the past and is bound to be a failure in the near future.

Sir, there is another aspect of the question. Some of my countrymen have been attempting to draw the Mussalman community into their fold and to persuade them to boycott the Commission. We, the followers of Islam, have a tradition of our own, a history of our own, quite distinct from those of the other communities. Can we, under these conditions, give up our right to separate electorates? Can we forego the position that was given to us by the Lucknow Pact of 1916? Now they want us to join the boycott movement and relegate us to a position worse than the one we are now enjoying under the Pact. The Muhammadan community cannot barter away their admitted rights on such worse terms. They cannot be a party to a treaty whereby they lose 40 per cent. representation in minority provinces for a representation on a population basis. We cannot swallow this sugar-coated pill of the Congress manufacture, imported from Bombay to Calcutta and Calcutta to Madras. I would ask my Moslem countrymen of Bombay to take the lead of His Highness the Aga Khan in this matter who has no axe to grind. No, it would be suicidal to us members of an ancient and historic community if we did not take a sensible view of the whole situation.

Sir, with these observations I accord my full support to the amendment of my Honourable friend Sir Maneckji Dadabhoy.

\*THE HONOURABLE MR NARAYAN PRASAD ASHTHANA : Sir, belonging to a party which hailed the Reforms of 1919 and which felt itself bound by the Preamble of the Government of India Act of 1919, I have to give my reasons for opposing the Resolution and the amendment. I find myself that within the frame-work of the Government of India Act, 1919, it was open to Parliament to appoint a Commission consisting of Europeans and Indians. It was open to Parliament in obedience to the Preamble itself to co-operate with Indians and to see how far the Parliament can assist Indians themselves in framing their constitution. The Preamble of that Act reads :

“ And whereas the time and manner of each advance can be determined only by Parliament upon whom responsibility lies for the welfare and the advancement of the Indian peoples”—

and mark these words, Sir—

“ And whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom new opportunities of service will be conferred...”

THE HONOURABLE SIR MANECKJI DADABHOY : Which is now being given.

THE HONOURABLE MR. NARAYAN PRASAD ASHTHANA : I ask, has the action of Parliament been consistent with the co-operation that has been offered to the Reforms of 1919 in years past ? What advantage has been taken of the co-operation ? What particular action of Parliament has been guided by this co-operation in the present instance ? Has not the Parliament distrusted and non-co-operated with Indians ? And therefore my submission is that henceforth no blame should be laid upon those persons who co-operated in 1919, but yet do not see eye to eye with the Government at the present moment. The co-operation must begin on the other side, not from the side of the Moderates of 1919. The whole spirit in which this Commission was conceived and appointed, the procedure which has been laid down for the association of Indians in the secondary stage or in the preliminary stage, and the procedure that has been chalked out by the Commission itself for taking evidence and for associating Committees of the Legislature all show that the co-operation is not on an equal basis. My Honourable friend, Sir Maneckji Dadabhoi, accused us of hypocrisy....

THE HONOURABLE SIR MANECKJI DADABHOY : When you talk of equality. Don't forget that.

THE HONOURABLE MR. NARAYAN PRASAD ASHTHANA : Yes, we are accused of hypocrisy when we talk of equality. But I may just say for his information that Indians have from time to time been always saying that they are treated like inferiors. They have never concealed this fact that they are not treated as equals. It is the Government which has been in season and out of season saying that they are treating us as equals, and I therefore leave it to the Council to judge who is the hypocrite. As the Resolution of the Honourable Mr. Chari stands, if it had been only a question of procedure, I would have perhaps supported it and I might have even supported the amendment of the Honourable Sir Maneckji Dadabhoi. But the question is not only one of procedure, but one of principle. The principle involved is this, that we do not want simply an association of the Joint Committee for the purpose of producing evidence or of collecting evidence for submission to the Commission. What we want is an equal vote on the Commission in deciding what should be

---

\* Speech not corrected by the Honourable Member.

the report. We want that Indians should have an equal vote upon that Commission. Was it not possible for the Parliament to invite seven Indians or to ask the Indian Legislature to elect seven persons and then nominate them to that Commission so that there might be seven Europeans and seven Indians with an eminent President like Sir John Simon, to decide the question as to how far Indians are fitted for an advance towards self-government. So that if it were simply a question of procedure, there might have been an agreement, but even on the question of procedure, I do not think I can support the Honourable Mr. Chari's Resolution, because his proposition for the appointment of a Committee by the British Government is rather worse than what Sir John Simon himself has suggested, namely, by election by the non-official Members of the Legislative Assembly and this Council. . . .

THE HONOURABLE MR. P. C. DESIKA CHARI : I assume it.

THE HONOURABLE MR. NARAYAN PRASAD ASHTHANA : However the question still remains, it is not one merely of procedure but one of principle, and my submission is that so far as this point is concerned we cannot yield.

Sir, it has been repeatedly asked what is the advantage of this movement of boycott as it has been called? The advantage is patent. It is this. It has had a moral effect. Why are the Government and other people anxious for Indian co-operation? Why do you show this feverish anxiety for co-operation? That is the moral effect. Then there is a greater effect, and it is this. It has united nearly all the parties in India, and further it has organised public opinion. That is a great national advantage which I say this movement has brought about. Further, there is no question of advantage when you give a slap to a person and he shows his sense of indignation. Nobody will question that person as to what is the advantage of showing this indignation. He has been kicked and therefore he shows his indignation. Therefore, the question remains. So far as the present Commission is concerned, as at present constituted, the Liberals who did co-operate with Government in 1919 say that they have not been treated fairly, that the Government of India itself has not co-operated, and therefore they do not see their way to have anything to do with this Commission. Therefore, I object not only to the procedure of the Commission, but I object to the very principle of its appointment. For these reasons I oppose both the Resolution and the amendment.

THE HONOURABLE MR. G. A. NATESAN : Sir, my Honourable friend, Mr. Ashthana, who has preceded me has already covered a good deal of the ground which I had intended to traverse, and I will therefore confine myself to making a few observations to show why it is impossible for me, and those of my way of thinking, to accede to the request of the Honourable Mr. Haig that we should not lose this opportunity and that we should agree to the appointment of the Committee. I am one of those who believe that it was quite open to British statesmanship to make every body in India a co-operator, and I feel strongly that a golden opportunity in that direction has been lost. I feel, Sir, that it was in the power of those members of the Government of India who have had a voice in this matter to make the Secretary of State understand that having regard to the declarations of Parliament, having regard to the discussions that took place when the Government of India Act was placed on the Statute-book, and having regard to the co-operation which members of the Liberal Party amidst obloquy and calumny gave to the Government of this country, not because they reaped personal advantages, but because they felt in helping the administration to be carried on they were helping the good government of India and the cause of the British Empire itself—having regard to all these, it seems to me that a great blunder has been committed in not seizing this golden

[Mr. G. A. Natesan.]

opportunity to admit Indians on terms of perfect equality. I quite admit that it is open to lawyers to argue either way as they always do, and depend upon the Preamble to the Government of India Act. But if Lord Birkenhead in the House of Lords himself realised and gave expression to the view that he was not a slave of dates, he certainly need not be a slave of Preambles. With all due deference to His Lordship and his colleagues, I feel convinced, and I have the opinion of high legal authorities amongst my countrymen that think that though Parliament has a legal right to frame a constitution for India, it does not deprive them of the opportunity of statesmanship afforded to them to take the co-operation of Indians, but more than anything else, whatever may be the legal right, it does not deprive Indians of the moral right that they should have a voice in this matter. Sir, my Honourable friend, Sir Sankaran Nair, for whom I have the highest respect, said that Parliament is the authority to settle our future. I bear in mind that Parliament is the ultimate arbiter of the destinies of India, but my Honourable friend, Sir Sankaran Nair, who is not here, made one or two observations, and it occurs to me that his was a highly inconsistent speech from beginning to end. If I had not been in this House and I had not heard the speech of my Honourable friend, Sir Sankaran Nair, and if somebody had given a verbatim report of his speech I should have refused to believe it was his. I would have gone further and taken to task the gentleman who gave me that information. It is not the Sir Sankaran Nair of old, it is not the Sir Sankaran Nair, President of the Indian National Congress, or the Honourable Sir Sankaran Nair who wrote his famous minute of dissent in connection with the reforms. I am sorry that he of all people should have referred to the conflict of castes and creeds in this country. Sir, 17 years ago it was a Brahmin in Madras who presided over a depressed classes conference. That Brahmin was the humble speaker himself. Amidst much criticism he and others have been interesting themselves in the depressed class movement. Many of my countrymen, younger men, students in colleges have been carrying on night schools for the teaching of these depressed classes. Sir, some Brahmins of the most orthodox type are engaged to-day in making visits to *paracheries*, that is the habitations of the depressed classes and are trying their best to improve their lot. I am glad to say that the Governor of my province has been pleased to signify his appreciation of one of these Brahmins by giving him a Kaisar-i-Hind medal. I do admit that there are conflicts between classes and communities in India. I admit there is difficulty in forming a mixed Commission, but I do not believe these difficulties are insuperable. I do not believe it is difficult for the authorities to frame a mixed Commission consisting of Europeans and Anglo-Indians, Muhammadans, Hindus, Brahmins and Non-Brahmins, the depressed classes, Sikhs and others. Sir, I refuse to believe that these gentlemen, Europeans fresh from England, members of the Civil Service, Anglo-Indians, Muhammadans, Hindus, Brahmins, non-Brahmins and others will be so lost to all sense of shame as to fight only for their vested interests and petty communal rivalries. If they did that it will not redound to the glorious achievements of British rule in India about which many people have talked. Now, I am not one of those who believe that British rule has not profited us. We have suffered in some respects, but taking the balance of advantages and disadvantages I have always believed that British rule has been to our advantage. I should like to continue the British connection, but I should like to do so only on terms of perfect equality.

Sir, we have been told that Sir John Simon has made an offer and that it is unreasonable on our part that we should stick further to our objections. Sir, I certainly yield to none in my respect for Sir John Simon, but those that tel;

us that we should depend upon the courtesy, the tact and the statesmanship of Sir John Simon and that therefore we should co-operate with him, forget the fundamental principles for which we stand. Sir, our outlook is entirely different. In spite of the statement of Sir John Simon we cannot forget the fact that the Committee of the Indian Legislature, whatever may be its opportunities for good, has not been appointed by the same authority. It cannot always sit together. It cannot always examine all the witnesses and all documents. It cannot always enjoy the same status and privileges. It cannot deliberate together, and more than anything else it cannot vote together. The voting is essential if we are to put our case. Sir, there are people who say that this is a Joint Free Conference and that you are treated on terms of perfect equality. Those of us who know the English language well and who know the implications of the word "equality" take an opposite view. When you say on these terms that we can give evidence before this Commission, we are entitled to say "No".

Now, there is another aspect of this question which I would like to point out. Supposing I thought that the interests of the country are in serious jeopardy, I should undoubtedly have agreed to take even the risk of unpopularity and give evidence, but I say deliberately that the interests of the country will not suffer. Now, I ask all those gentlemen who spoke so highly of Sir John Simon's greatness, his nobility of character and statesmanship, whether they think that because there are many people who refuse to co-operate with the Commission, therefore his finding will be that India is not fit for any further constitutional advance. I wonder if any of these gentlemen, both official and non-official, who advance this argument, realise fully what the implication of this is. Sir, I do not believe that because there are large sections of people in this country who would not co-operate with the Commission and give evidence before it, therefore our case will go by default and the Commission will do us an injustice. To think so is an insult to the Commission. Sir, I do not believe that that will happen. My friend Sir Sankaran Nair who is not here told us this morning that Parliament is the final arbiter. He wants us evidently to get into the Committee and engage in a perpetual quarrel with Sir John Simon and his colleagues, and later on put our case before the civilised world. Sir, even at the risk of displeasing my Congress friends, I will say that Parliament is the ultimate arbiter, and that if I carry on a fight, it will be with the British Parliament without seeking the aid of America and Europe as Sir Sankaran Nair would like us to do. In this connection, Sir, I would like to point out that in the *Contemporary Review* for February just received Sir Sankaran Nair has written an article headed the "Indian Commission" in which he has taken to task British statesmen very strongly for the non-inclusion of Indians. His concluding words are very significant. He says :

"If this Ministry is allowed to wreck the reforms or fails to effect any substantial progress, India has no cause to despair. The next world war already looming in the horizon will make her master of the situation. She will get back not only what she may have lost during the interval but more—in fact practically home rule. The common sense of the British people will then assert itself. India will then also remember that after the Armistice the Anglo-Indian bureaucracy tried to go back upon the Montagu-Chelmsford report and were only foiled by the extraordinary dexterity of Mr. Montagu. She will take care that another reactionary Parliament shall not tamper with what will then be won by her. If for any reason these hopes are disappointed, India would sever her connection with England and the latter would, in the words of Mrs. Besant, sink into a second Holland."

Sir, I do not take the same view of this matter as my friend Sir Sankaran Nair. It is because I wish to avoid this catastrophe that I feel that even now the door is not closed and means can be found for honourable co-operation

[Mr. G. A. Natesan.]

between the two countries. I feel in all humility that it is even now open to the Government of India to make a representation to the Secretary of State that there is a considerable difference of opinion in this country on the subject. You need not state whether the majority is on this side or on that side. You may say that there is considerable difference of opinion among people who have for more than quarter of a century been working in many ways as co-operators, who have stood as candidates for elections amidst obloquy and calumny, who took up office, who understood their responsibility and were parties to legislative enactments in the interests of law and order to which they would not have been parties otherwise. It is now open to the Government of India to represent to the Secretary of State that there is a strong public opinion which feels that the present state of things should not continue. Are you going to lose this golden opportunity? I must confess, Sir, that I was somewhat disappointed when I heard my Honourable friend Mr. Haig say that he was going to support the amendment of the Honourable Sir Maneckji Dadabhoy. What does it mean? In the face of the strong resentment which has been created throughout the country in regard to this Commission, in the face of the deep public disappointment, in the face of the vote of the Assembly, and what is more, in the face of an opinion so hostile expressed by people whose judgment, whose sobriety, whose sagacity and whose statesmanship you commended till yesterday, on whom you heaped all praise, on whom the King has conferred the greatest distinctions, are you going to treat all these people with contempt? I shall not use so strong a word as contempt. I will take back the word, and ask, are you going to neglect their advice? Sir, I say it is not the part of true statesmanship to press this question to a division. I still think that it is in the power of the authorities to throw oil on troubled waters. There is nothing to prevent them from making such representations as is open to them to the Secretary of State and the British Cabinet. If they agree to this, the situation will change for the better; otherwise I can only say that you will have to regret your action.

Sir, I have given my best consideration to this question. I am not, I may say at once, one of those who would say that we will have nothing to do with this Commission merely out of prejudice. I have read a good deal of literature on this subject, I have talked to people, officials and non-officials, including European non-officials with whom I have been brought in contact in various capacities, and have come to the conclusion that the only course now open to us is to keep dignified aloofness from this Commission.

And, Sir, may I close with one more word, and it is this, that whatever happens, it is essential that in all that we do and in all that we may not do, we take care to see that nothing is done to injure the moral hold which Great Britain still claims to have over us. It is still open to us to acquit ourselves in a manner worthy of us as citizens of India, and as citizens of the British Empire. The remedy is in the hands of the authorities.

THE HONOURABLE MAJOR NAWAB MAHOMED AKBAR KHAN (North West Frontier Province: Nominated Non-official): Sir, the amendment has been very exhaustively discussed by the earlier speakers, but merely in order to clear my position I wish to say a few words. Since the announcement of the Statutory Commission appointed to review and report on the constitution of India, there has been a great agitation against it in view of the personnel of the Commission. The majority of the political bodies in India are much against its present form of composition, while there is no lack of those politicians as well who are inclined to take a favourable consideration of it.

The chief objection of the anti-commission party is that no Indian has been allowed to sit on the Commission thus appointed, which state of affairs is taken by them as an insult to the Indian people. In other words, what is desired by these men is the inclusion of some Indians amongst the members of the Statutory Commission. It follows, therefore, that they do not object to the appointment of the Commission which the British Parliament has sent to this country in order to make a revision of its constitution as provided in the Government of India Act, 1919.

As to the inclusion of some Indians amongst the members of the Statutory Commission, I fail to understand how this demand can possibly be given effect to in a country which is inhabited by a good many classes of people professing different religions, and consequently at variance with one another. In view of their religious sentiments or so, they are so akin to provocation that the slightest offence, no matter religious or of other sort, makes them pounce upon the throats of one another. Honourable Members of this House might recollect the recent occurrences and affrays amongst the different communities, professing different religions, in the single province of the Punjab, all of which can in no wise be accounted for in anything serious or grave, and all of which could have been avoided by a little tolerance on the part of the community injured or that taking the offensive. I need not detain the House longer on this subject by enumerating such like occurrences, for they are well in the recollection of all Honourable Members here. To make the matter worse, every individual community is divided into different sections blindly adhering to their own views. Under the circumstances, to take a limited number of Indians as members of the Statutory Commission would not have satisfied the Indian public comprised as it is of so many communities, religious as well as political. On the other hand, to take one representative from each of the various communities in India would have swelled the number of the members of the Statutory Commission, with the result that it would not have been able to complete its work within the desired period. Moreover, it would not have enabled the Commission to arrive at a unanimous finding as to the constitution of India and thus have thwarted the purpose calling for an appointment of the Commission. To my mind, it seems a very wise step on the part of the British Parliament to appoint a Commission of disinterested persons like Sir John Simon and his colleagues in order to have an impartial and unanimous report on the constitution of India. In reality, no better appointment could have been made in this respect which, in all fairness and justice, has been dictated by a wise and beneficent policy of the Imperial Parliament, and there is no justification to suspect its intention in appointing this Commission a year before its due time as provided in the Government of India Act.

It will be more advisable, therefore, to extend a cordial welcome to the Statutory Commission appointed by the British Parliament and to help it in every detail concerning the constitution of India so as to enable it to arrive at a correct finding in this connection. It will be a suicidal attempt to boycott it and thus lose the opportunity, afforded to us, of laying our opinions before it for consideration of the Imperial Parliament. The future constitution of India is to be drafted on the basis of the report submitted by the Statutory Commission and, unless it is made acquainted with the Indian views about it by putting them before the Commission, it cannot be expected to have a favourable consideration of the British Parliament. We should therefore try our utmost to make the coming Commission a complete success in every respect by giving a cordial welcome to it and the necessary evidence required by it with regard to joint or separate electorates and the financial adjustments of the various provinces.

[Major Nawab Mahomed Akbar Khan.]

Sir, before resuming my seat I must say that my soldierly life for a period of 17 years has inculcated in me the principle of entire obedience to the orders of my superiors, and I regard this principle as the most valuable of all existing between the ruler and the ruled. Now, it is admitted on all hands that India is a dependency of the British Empire and being so, it ought to obey its sovereign power. The appointment of the Statutory Commission has been made by the British Parliament, before every action of which we have no alternative but to submit. It will be more advisable, therefore, to accord a hearty reception to the Commission, particularly because it is composed of impartial and disinterested members. In case of a tension between a Hindu and a Mussalman, an Englishman is regarded as an impartial and trustworthy judge, and since the Statutory Commission is to report on the constitution of the whole of India, it will be highly beneficial to have that report made by Englishmen so as to leave no doubt of partiality on the part of the Commission's members. We ought to be grateful to the British Parliament for sending a Commission consisting of disinterested persons like Sir John Simon and his colleagues, every one of whom will discharge his duties in all fairness and justice. With these remarks, Sir, I heartily support the amendment brought forward by my Honourable friend Sir Maneckji Dadabhoj.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, the present political situation in India is indeed one of great complexity, and no patriot or well-wisher can look at it with indifference. The composition or constitution of the Royal Commission is much to be regretted and I fully share the feelings of resentment and dissatisfaction caused by the exclusion of Indians. The action of Government is objectionable from various points of view. There is no question of intention or motive. The exclusion of Indians has been felt by all political-minded persons as an insult to India. Whether that insult was deliberately intended or not is immaterial. The general feeling created admits of no doubt or question and confronts us as a fact which cannot be denied. Apart from the question of sentiment which in matters of this kind cannot be ignored, there are objections to the composition from practical points of view. Indian problems are of a very complex nature, and cannot be properly understood by persons who have never interested themselves in Indian politics. However commendable may be their selection on the ground that they are best qualified to take an impartial and independent view of the problems which will come before them,—no one can question the high intellectual calibre of Sir John Simon, the President of the Commission—but I am not prepared to admit that the members composing the Commission are endowed with superhuman powers. Public men in India are divided into two main groups whom, for the sake of convenience, I classify as nationalists and communalists, namely, those who advocate political advancement without due regard to the bearing it may have on the interests of the communities and classes to which they belong, and those who give priority to the interests of the minority whom they represent in any scheme of advancement which may be devised. Neither party is satisfied with the composition of the Commission or with the scheme which has been promulgated for ascertaining Indian views and for giving effect to those views in the ultimate recommendation of the Commission.

So far I have dwelt on points on which I am in agreement with the views of the opposition. I feel it to be, however, my honest duty now to give expression to views which I hold at variance with some of my countrymen. I admit that an affront has been offered to the country by the appointment of such a Commission. But, however great be the mistake of those who devised



the composition of the Commission, the members of the Commission come to us with every honest intention of studying Indian conditions and of ascertaining the views of different sections on the various questions involved. There is no reason to apprehend that their recommendations will not be based on justice and fairness. I am quite hopeful, Sir, that the Commission will recommend material political advancement as the present conditions in India require and justify. I do not favour a boycott of the Commission. That no Indian is a member of the Commission is a defect, but that defect should not be magnified by Indians refusing to put before the Commission the Indian point of view. There are, however, other most serious consequences involved in such an abstention, to which I will only refer in a few words. Minorities, as classes requiring special protection, cannot afford to boycott. They must present their case before the Commission. In no other way can the Commission bring out how various minority classes want their interests to be protected. In this connection, Sir, I may also point out that the public in England is labouring under a serious misapprehension if it thinks that there is only one minority in India, namely, the Moslems, or that the Hindus are in a majority everywhere and have no measures to advocate or support which require a majority. In the province to which I have the honour to belong, the Hindus are in a minority, and so are they in Bengal. Sikhs are in a minority everywhere. In the neighbouring province, which forms our western frontier and for which the question of devising a new form of government will be tackled by the Commission, the Hindus form a very small but important minority. If I have been able to form a correct idea of what Hindu interests in particular in my province require, I can with confidence advise them to put their case fearlessly before the Commission. But, at the same time, I wish the Royal Commission to extend their helping hand to those who wish to co-operate with them on equal terms. I am of opinion that only elected Members of the Central Legislature be allowed to elect the Joint Committee, as the adoption of this procedure will command greater confidence with the public. I think it is also desirable and necessary that such people and experienced persons like Sir Tej Bahadur Sapru, Sir Sivaswamy Aiyer, Sir Syed Ali Imam, who are at present not members of the Central Legislature, be elected members of this Joint Committee. The choice of the elected members should not be confined to the present legislators alone.

Then again, Sir, there is another important point which I wish to press, and that is that the Indian Joint Committee should not be excluded when evidence is being taken *in camera*. Members of the Joint Committee should have equal power of cross-examining witnesses appearing *in camera* and they should have full access to all the records and memoranda of evidence that are to be placed before the Commission.

With these observations, Sir, I will support either the Resolution or the amendment.

THE HONOURABLE MR. KUMAR SANKAR RAY CHAUDHURY : Sir, we who belong to the Congress Party may at the outset say that we are opposed to the constitution of the Commission on the fundamental ground that the writ of Commission issued by the Government of His Majesty does not recognise us Indians as equal subjects of His Majesty as we had been wont to be recognised ever since 1833. It is the constitution of our future Government that is going to be considered, and yet no Indian finds any place in the Commission, not to speak of its being mostly constituted by Indians as we urged it ought to be, the function of the European members therein being confined to safeguarding their interests and Imperial interests merely. The right of self-determination which has been so loudly proclaimed to be applicable to all subject races during the

[Mr. Kumar Sankar Ray Chaudhury.]

War was denied to us as soon as the War was over and to add insult to the injury thus already inflicted upon the country, she has been denied by the present Commission the right of exercising any voice whatsoever in moulding her future constitution. Was not the right of finally determining the constitutions of the Dominions and South Africa equally vested in His Majesty's Government? Were not the Boers in South Africa as much as a conquered nation as Indians? Was not a large part of South Africa's native population more uncivilised and illiterate and more oppressed than the backward Indian communities? Yet the procedure adopted in framing a constitution for South Africa was quite different from that adopted in our case. The Secretary of State has characterised the procedure adopted in India as quite unprecedented. I can however characterise it as not only unprecedented but preposterous. Whoever has heard that the future constitution of a country can be satisfactorily framed without the consent and approval of the people of the country? Yet that is being sought to be done at the present moment. The grounds urged for adopting this novel procedure are—first, that India is a country with a vast population consisting of numerous classes, and if all communities are to be represented on the Commission its size would be very big. Even the other day the Secretary of State stated that as many as 17 Indians were to be required to be included in the Commission. May I ask if that is a number at all very high considering the legitimate function of the Commission to be to settle a constitution for India and considering the huge population whose destinies are going to be settled by them? May I ask what was the number of people who settled the constitution for South Africa or Australia or Canada? May I ask what is the number of the people they are even now seeking to take in through the Committees of the Central and Provincial Legislatures?

It is next urged possibly by Lord Reading that Indians cannot be taken in because they are all more or less people having decided views upon the questions at issue. May I ask if an absolute *tabula rasa* is all that is needed for this task and that knowledge and experience and vital concern of the persons affected are of no account whatsoever?

It is next urged that Indians cannot be admitted because in that case there is not likely to be a unanimous report. If ultimate responsibility lies with the British Parliament and they are not willing to shirk that responsibility, I fail to understand why they are so anxious for a unanimous report rather than have dissenting reports to judge upon where different points of view are more likely to be better presented than in a unanimous report.

The object of the Resolution moved by the Honourable Mr. P. C. Desika Chari seems to me to set up another Royal Commission to sit and collaborate with the Simon Commission and to submit a separate report to His Majesty's Government on perfectly equal terms. If such a Committee is appointed, there cannot perhaps be any opposition from any quarter on principle, but the method sought to be adopted for forming the Commission is not at all similar to that adopted for the election of the Simon Commission, for that Commission is not only a Royal Commission, but a Commission appointed by the British Houses of Parliament, whereas in the case of the Indian Commission, what my Honourable friend proposes is that His Majesty's Government is to be the sole judge of the persons who should compose the body of the Commission, and they may choose even the official or nominated Members. The elected representatives of the people will have no voice in the selection, nor can any one be selected who is not a Member of the Indian Legislature.

Much capital has been sought to be made out of the bitter feeling prevailing amongst the different communities in India, especially by the Secretary and Under Secretary of State for India. That it has been to a great extent brought about and aggravated by the system of government introduced in the country is unconsciously admitted by the Viceroy when he suspects "that the communal issue is so closely interwoven in the political that suspense and uncertainty in regard to the political react rapidly and unfavourably upon the communal situation" and again says that "it seems not impossible that the uncertainty of what constitutional changes might be imminent may have served to sharpen this antagonism and that each side may have been consciously or unconsciously actuated by the desire to strengthen as they supposed their relative position in anticipation of the Statutory Commission. Wherever such activities may first begin the result is to create a vicious circle in which all communities are likely to feel themselves constrained to extend their measure of self-defence".

Moreover what country is there on earth that had not her differences and difficulties to settle? Look at the United States. This is what Sir John Marriot in his recent publication at page 108 says :

"Between the colonies there had hitherto been very little community of interest or sympathy. They differed in origin, in economic and physical conditions, in social structure, in religious sympathies, in political opinions. Their jealousy of each other is so great that however necessary a union of the colonies has long been for their common defence and security against their enemies \* \* \* yet they have never been able to effect a union among themselves."

Again, at page 112 he goes on to say :

"To induce these jealous and jarring republics to adopt any closer form of union was no easy task, chaos in finance, in commerce, in foreign relations at last broke down the opposition of the most obdurate separatists. After 4 months of strenuous labour and several threats of disruption they completed a task which is perhaps the most memorable in the history of political institutions."

Look again at Switzerland. This is what the same author says at page 86 :

"Domestic strife intensified the miseries caused by foreign military occupation. The French party was at war with the autonomists, democrats strove with oligarchs, federalists with unionists, Jacobins with Girondins. Even the *coup d'état* was naturalised on the Swiss soil effected now in this interest now in that, sometimes genuinely native more often stimulated and engineered from Paris yet Switzerland 'is regarded as the best equipped political laboratory in the modern world'."

Left to themselves as they were without the policy of divide and rule having any scope of action over them they could settle all their differences in spite of all these difficulties. But India must have her differences settled not by her sons but by the British people who have assumed the perpetual trusteeship for her destinies ; and the main objects of the present Commission is to perpetuate that trusteeship for ever. Otherwise why was it engineered in such secrecy and why were Indians totally excluded from its personnel so as to evoke the opposition not merely of responsible Parliamentarians like Lords Reading and Olivier and Mr. Ramsay MacDonald but even of the European community of India ? Their opposition has been somewhat quieted down by subsequent supposed modifications of the mode of operation of the Commission, but still the European community in India voicing their opinion in the Legislative Assembly through Sir Darcy Lindsay is not entirely satisfied with the provisions. And even in these subsequent modifications I am bound to say that there has been laid a trap which may be used for deceiving the people of India. When the Secretary of State mentioned one of the grounds for non-inclusion of Indians in the Commission to be that in case Indians were taken in, it would

[Mr. Kumar Sankar Ray Chaudhury.]

be necessary to include the officials as well, I was wondering as to why and since when had the officials in India come to be treated as untouchables by the British people, and I was surmising that perhaps they were merely to play the part of the skeleton in the cupboard ; but on a careful perusal of the speech of Lord Birkenhead, dated the 24th November, 1927, I find that during the final stages before the Joint Committee of the British Parliament they will come out in the shape of a Committee of the Central Government to shape the destinies of India. For this is what the Secretary of State says at page 245 of the House of Lords debate :

" We invite the Central Government to appoint a Committee to come and sit with our Joint Committee. They are given a function, if they could only understand it, more important than that of the Commission itself."

I am thus at a loss to find how and where the much advertised Committee of the Central Legislature at all comes in to have its say before the Joint Parliamentary Committee. The Viceroy no doubt said on the 8th November that it was intended to facilitate the presentation to the Joint Committee of the British Parliament of the view of the Indian Central Legislature by delegations who will be invited to attend and confer with the Joint Committee, but one does not know whether, in the event of a conflict of views between them, the voice of the Secretary of State will not prevail over that of the Governor General of a dependency sitting 7,000 miles away from the seat of power. Moreover the Viceroy also leaves the question open to doubt when he goes further on to say :

" Not only will they through representatives of the Indian Legislature be enabled to express themselves freely to the Commission itself but it will also be within their—

through what agency, if I may say so, is left vague here—

" to challenge in detail or principle any of the proposals made by His Majesty's Government before the Joint Select Committee of Parliament."

Is this what has satisfied Mr. Ramsay MacDonald when he says :

" We appoint a Commission ; you appoint a similar body and the two commissions sitting together in harmonious co-operation with each other are going to report to the House of Commons what the line of the new constitution is to be."

Coming now to the merits of the proposals before us, I may say, in spite of what Sir John Simon says, that it is neither joint, nor free, nor  
5 P.M. a conference at all. It is not joint nor free, because the Parliament claims to be the sole master of the situation, the people of India having no right except that of submitting their case about the shape their constitution will assume. It is neither a conference of the people of India for ample care is taken to see that the people do not come together at all. Committees will be appointed from the Provincial and Central Legislatures, but they must not join together to deliberate on the future destinies of India. When the Commission goes to the provinces the Committee of the Central Legislature must have to seek the permission of Sir John Simon before they can open their mouths. The Committees constituted in the different provinces must not come into contact with one another. People giving evidence must not come into contact with one another, so that they may all adjust views and try to harmonise various conflicts of interests and claims. They must all come and trot out their differences merely before the Commission so as to enable them to make out a case for the perpetuation of the travesty of a trusteeship of one race over the other. That is what the Commission is here for. By boycotting the Commission we want to prevent that being done. That is why after raising a

Frankenstein in the country the Government has availed itself of this opportune moment for the appointment of the Commission. This ugly truth comes out of the mouth of Mr. Pilcher who at one time was connected with a paper called the *Friend of India*, when he said in the course of the debate in the House of Commons :

“ It seems to me that the present is a very appropriate time specially in view of the growth of Hindu-Muslim differences and the fearful acerbations of Indian feeling which has sprung up from these troubles.”

We suggested a round table conference which has been the only method adopted in almost all countries and framed the outlines of a constitution as long ago as 1924-1925, but the British Government will have nothing to do with it. Lord Birkenhead has, on the contrary, thrown out a challenge to us to frame a constitution for India, taking good care to non-co-operate with us in this matter by the appointment of this Commission where Indians do not find any respectable place, so much so that even the Liberal politicians in India who had given their best help to the Government in times of difficulty find it difficult to co-operate. Is this sincere? Is this just? Then, we have been accused of hastily throwing out the proposals of Sir John Simon. May I ask why Sir John Simon was so hasty in formulating his proposals without consulting Indian public opinion as soon as he landed at Bombay. Do his proposals contain anything new or advance matters in any way, or could he do so beyond what was conceded by those in authority during the Parliamentary debate? The other House has expressed its indignation in no uncertain terms by the “ bare majority ” of about all the elected Members, it is only the Government members and some *jo-hukums* who have supported the Commission. The whole country is ringing with indignation at the insult heaped on India. Even Members have come from sick beds to die here to vote down the proposal. Should we so far forget ourselves as to cast our lot with these *jo-hukums*? Let us not forget also that our future as a body hangs largely on the decision we now take.

With these words I oppose the motion as also the unqualified approval of the Commission suggested by the Honourable Sir Maneckji Dadabhoy.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN : Sir, I will come straight to what I think is the cause of the present tension in connection with the Statutory Commission. The mistake in the constitution of the country is that a kind of politicians out of the educated middle classes have got a preponderance in the other House, and a good many of them are also here. The franchise has been given only to a very small portion of the Indian people, and all those who have not got the franchise are naturally not represented here. Some of the communities who have fared very badly during the last Reforms like the Muhammadans and a few others, are all conscious of the fact that they should ask for their full rights. We are going to ask for our rights, the untouchables are going to ask for theirs, and other communities also are going to ask for them. Where will those rights come from? They will come out of the hands of the oligarchy which is now in power. They in turn want to snatch more and more power from the hands of the present Government. That party in fact wants a Raj of their own. We have to decide whether we are going to be under their Raj or the present Raj. I may tell my Muhammadan friends that they have been enjoined by our religion, which is in our book, that the Christians will be our greatest friends, and that is why the Prophet sent the best of his relations to Africa under a Christian King of Abyssinia. I do hope that they will vote in the right direction. I know that this House has been called upon at various times to do its duty when a mistake has been committed elsewhere, and I hope, as they have always done before, they will do so again.

[Colonel Sir Umar Hayat Khan.]

They may have differences of opinion, but I hope many of them will sink them and change their views now to vote in a way which will show that after all the whole of India is not non-co-operating and that we will work with the Commission and ask for further reforms.

THE HONOURABLE SIR MANMOHANDAS RAMJI (Bombay: Non-Muhammadan): Sir, on this momentous occasion I do not want to give my vote in silence. I know that as I am speaking at this late hour I should be as brief as possible. Sir, looking at the amendment proposed by my Honourable friend, Sir Maneckji Dadabhoy, it wants three things. First of all, he wants to send.....

THE HONOURABLE MR. V. RAMADAS PANTULU: That is not the amendment before the House.

THE HONOURABLE SIR MANMOHANDAS RAMJI: Very well, Sir. Looking at the amendment that he has proposed, it is to the effect that we should elect the Committee and go on co-operating with the Commission. If that is done what is the position? The Honourable Mover of the Resolution, Mr. Desika Chari, says, "keep the door open." Are you going to keep the door open by passing this amendment of my Honourable friend, Sir Maneckji Dadabhoy? We know what is the feeling of the people in the country. We know what is the feeling in the other House. Therefore, knowing all that, I think it would be much better if the amendment or the original motion is pressed to a division on this point. In any case the Commissioners are going to proceed with the work. Under these conditions is it not open to the Government to try to intervene and see if there is any possible solution of this great divergence of opinion? Therefore, I appeal to the good sense of all the Members of this House not to accept the amendment or the Resolution. Sir, it has been argued, "Where is the harm if we sit with the Commission and co-operate?" It is a question of self-respect. It has been said that this is a golden opportunity and that if you do not co-operate you will lose it. May I remind the House that the value of self-respect is far greater than this golden opportunity. The golden opportunity is feasible under all circumstances, whether you co-operate or not, but do not lose your self-respect. That is the whole point of the controversy.

Then it has been pointed out that there is not a single man who can represent the different interests in India. May I point out one man to the British Parliament? That is Mahatma Gandhi. Look at his attitude towards Muhammadans, towards the untouchables and the depressed classes. Has he ever disregarded their interests? Never. He has placed their interests in the forefront. For the last so many years you have appointed Indians to all Commissions, if not in equal numbers, at least in a minority. Here is a divergence of procedure simply because the authority of Parliament cannot be questioned. Nobody questions the right of Parliament. Parliament has got the determining voice. It is for us to say to Parliament, "We want liberty on certain terms. Consider our proposals and then do what you like". We give you our requirements and you give what we ask by stages and make us reach the goal ultimately. Therefore nothing would be lost by appointing Indians on the Commission and by preserving harmony throughout the country. What is the state of the mind of the people to-day? What an amount of agitation has been created in the country. The whole of India is excited. Sir, one speaker has alluded to minorities, such as Muhammadans, untouchables,

etc. May I know whether these differences existed a hundred or two hundred years ago. What is the cause of this change? There are Hindus, Muhamadans, depressed classes and others living in Indian States. Is the tension there so great as in British India? They live there peacefully and will live peacefully for a long time to come. This policy of divide and rule is not a statesmanlike policy and, therefore, I appeal to the good sense of those who have the good of India at heart to try and find a solution of this *impasse*.

THE HONOURABLE MR. P. C. DESIKA CHARI: At this late hour, I would not be justified in detaining the House for more than a few minutes. We have heard the arguments from various points of view and I would first deal with the arguments of Mr. Ramadas Pantulu. I congratulate him on his industry and ability in preparing a compendium of all the boycott literature that has appeared in the Press during the last few weeks. In fact we have had indications of his industry in that direction on many occasions like this. He has taken the fullest advantage of it, but the pity of it is that he has not even followed the speeches here of people of his own way of thinking and that he had recourse to repeating all the things which previous speakers said because he could not pick out things from the compendium he had prepared. Sir, he twitted me for trying to imitate a great patriot in the other House. Sir, it is a laudable thing to imitate a patriot, but I would certainly not imitate a pettifogging lawyer like my friend Mr. Ramadas Pantulu. I need not go into detail with regard to the points of view he has urged because they have been sufficiently met by other speakers not only here but in the other place as well. I can understand the reasoning put forward by my friend the Honourable Kumar Sankar Ray Chaudhury who has in clear terms indicated how fundamentally different the views of the Congress party are and how absolutely impossible it is for them to reconcile themselves to any position consistently with the existence of the Commission. I can understand that fundamental difference, and no appeal of mine or of anybody else for co-operation would meet with any response in that quarter. On the other hand, we have had the opinions of people like my friend Mr. Narayan Prasad Ashthana who, on account of his being a member of a larger party which has determined to join forces with the Congress people, does not see his way to support it, and he naturally follows the reasoning of which we have heard so much.

As regards the objection of my Honourable friend Sir Phiroze Sethna, I think those who have been reading the newspapers must have been fully aware of his views, because he had taken very good care to advertise his views to the fullest extent, and we have already had the benefit of his views, and there is nothing new for me to reply to him here.

Sir, I was anxious that people who are really interested in co-operating should get as much support as possible from all quarters in the country. It was for this purpose that I tabled a Resolution to indicate what would be free and honourable terms for a Committee to work. Sir, if my Honourable friend Mr. Ramadas Pantulu and others had taken care to study the implications of what is contained in the various classes, they would have understood that what I want is perfect equality on honourable terms on the same lines as Mr. Jayakar wanted in the other place. But now there seems to be some technical difficulty which has been pointed out. I don't really see any difficulty, but I attach very great importance to a Committee being formed as early as possible and functioning, because as I have already pointed out, it was the intention of Parliament to have a Committee functioning before the arrival of the Statutory Commission, and it was the original intention that the Indian Committee should be working in anticipation of the arrival of the Commission. Sir, I

[Mr. P. C. Desika Chari.]

am not for delaying the work of the Committee if it is to be formed. I therefore welcome, though with very great reluctance, the amendment moved by my Honourable friend Sir Maneckji Dadabhoy. I believe if a Committee were appointed, the members by actually working and by mutual trust and confidence, will be able to achieve a good deal in respect of getting the necessary rights and powers which I am anxious that the Indian members should have. Therefore, I accept the amendment moved by my Honourable friend Sir Maneckji Dadabhoy.

THE HONOURABLE MR. H. G. HAIG : Sir, I shall endeavour not to detain the House long. I only wish to mention one or two points. I notice that my Honourable friend Mr. Ramadas Pantulu expressed considerable apprehension lest the Commission should go about hand in glove with its bureaucratic friends. As one of the bureaucrats, who I suppose are designated by the Honourable Member, I must, I fear, entirely disclaim the enjoyment of that privileged position. But if he is really anxious lest the Commission should associate with its bureaucratic friends, is it not a little inconsistent that he should reject the offer which the Commission have made, that he himself should go about hand in glove with them ?

Sir, I was struck by the remarks made by the Honourable Sir Manmohandas Ramji, for they obviously indicated a genuine feeling. He felt that his self-respect had been injured, and on that account he was prepared to disregard all practical considerations, to think nothing of the interests of the country, to place his self-respect above everything else. I should like to remind the Council of some words which they heard only a few weeks ago from His Excellency the Viceroy. He said :

“ Let me make it very plain that I expect Indians, as I would myself, to be sensitive of their honour. None, whether individuals or nations, can afford to be otherwise, for honour and self-respect lie at the foundation of all social life. But honour and self-respect are not enhanced by creating affronts in our imagination where none in fact exist.”

The Honourable Mr. Narayan Prasad Ashthana endeavoured to distribute the blame for the present situation and desired to throw the blame wholly on Parliament. But, Sir, I suggest that this is not a time for examining the past or for complaining that what has happened is due to this man's fault or that man's fault. We have to take the situation, Sir, as it is, and I feel confident that this Council by its vote to-night will give a practical decision in favour of co-operation with the Commission.

THE HONOURABLE THE PRESIDENT : The original question was :

“ That the following Resolution be adopted :

‘ This Council recommends to the Governor General in Council to urge upon His Majesty's Government in connection with the Royal Commission on Reforms—

- (1) to form a Committee from among the Members of the Central Legislature with authority to—
  - (a) carry on the preliminary work and to collect the materials to be placed before the Royal Commission ;
  - (b) co-operate with the Royal Commission in examining all the witnesses in all the provinces ;
  - (c) have access to all the records that may be placed before the Commission ;
  - (d) review and supplement such evidence by requiring other witnesses to be examined and other records to be sent for ; and
  - (e) report to the Central Legislature ;
- (2) to place the Report of the Committee before Parliament for consideration along with the Report of the Royal Commission ’.”



Since which an amendment has been moved :

" That for the words ' urge upon His Majesty's Government ' to the end of the Resolution, the following be substituted, namely—

' take steps for the election of representatives from the Council of State to participate in the Joint Conference according to the procedure set out by the Chairman of the Indian Statutory Commission in his letter of the 6th of February, 1928, addressed to His Excellency the Viceroy and Governor General and his letter, dated the 10th February, to the Honourable Sir Sankaran Nair ."

The question I have to put is that that amendment be made in the original Resolution.

The Council divided.

#### AYES—34.

Akbar Khan, The Honourable Major Nawab Mahomed.  
Akram Husain Bahadur, The Honourable Prince A. M. M.  
Burdon, The Honourable Mr. E.  
Charanjit Singh, The Honourable Sardar.  
Commander-in-Chief, His Excellency the.  
Corbett, The Honourable Sir Geoffrey.  
Dadabhoy, The Honourable Sir Maneckji.  
Das, The Honourable Mr. S. R.  
De, The Honourable Mr. K. C.  
Desika Chari, The Honourable Mr. P. C.  
Froom, The Honourable Sir Arthur.  
Gray, The Honourable Mr. W. A.  
Habibullah, The Honourable Khan Bahadur Sir Muhammad.  
Hadow, The Honourable Sir Austen.  
Haig, The Honourable Mr. H. G.  
Hatch, The Honourable Mr. G. W.  
Jaffer, The Honourable Sir Haroon.

Khaparde, The Honourable Mr. G. S.  
Latifi, The Honourable Mr. A.  
McWatters, The Honourable Mr. A. C.  
Mehr Shah, The Honourable Nawab Sahibzada Saiyid Mohamad.  
Misra, The Honourable Rai Bahadur Pandit Shyam Bihari.  
Muhammad Hussain, The Honourable Mian Ali Baksh.  
Muzammil-ullah Khan, The Honourable Nawab Sir Muhammad.  
Nawab Ali Khan, The Honourable Raja.  
Ram Saran Das, The Honourable Rai Bahadur Lala. \*Sankaran Nair, The Honourable Sir.  
Stow, The Honourable Mr. A. M.  
Suhrawardy, The Honourable Mr. M.  
Umar Hayat Khan, The Honourable Colonel Nawab Sir.  
Vernon, The Honourable Mr. H. A. B.  
Wacha, The Honourable Sir Dinshaw.  
Watson, The Honourable Mr. C. C.  
Weston, The Honourable Mr. D.

#### NQES—13.

Ashthana, The Honourable Mr. Narayan Prasad.  
Mahendra Prasad, The Honourable Mr.  
Manmohandas Ramji, The Honourable Sir.  
Mukherjee, The Honourable Srijut Lokenath.  
Natesan, The Honourable Mr. G. A.  
Ramadas Pantulu, The Honourable Mr. V.  
Rama Rau, The Honourable Rao Sahib Dr. U.

Rampal Singh, The Honourable Raja Sir.  
Ray Chaudhury, The Honourable Mr. Kumar Sankar.  
Sethna, The Honourable Sir Phiroze.  
Sett, The Honourable Rai Bahadur Nalininath.  
Sinha, The Honourable Mr. Anugraha Narayan.  
Zubair, The Honourable Shah Muhammad.

The motion was adopted.

THE HONOURABLE THE PRESIDENT : The question is :

" That the Resolution, as amended, be adopted."

The motion was adopted.

The Council then adjourned till Eleven of the Clock on Thursday, the 23rd February, 1928.