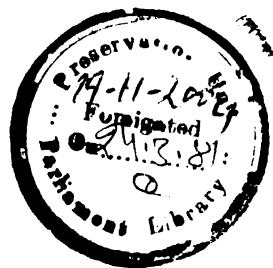


Wednesday, 8th February, 1928

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



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COUNCIL OF STATE.

Wednesday, 8th 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.

QUESTIONS AND ANSWERS.

ARTICLE IN THE *Indian Railway Magazine* HEADED "A CHAPTER OF ACCIDENTS."

20. THE HONOURABLE SIR MANMOHANDAS RAMJI : (a) Whether the attention of the Government has been drawn to a passage appearing in the *Indian Railway Magazine*, Vol. III, No. 8, August, 1927, at page 160, under the heading "A Chapter of Accidents"?

(b) If so, what action has been taken in the matter?

THE HONOURABLE SIR GEOFFREY CORBETT :

(a) Yes.

(b) In connection with the accident at Parli in which the embankment fell on coolies, the promotion of the Engineer-in-charge of the work has been put back for 12 months. The Railway were not responsible for the accident at Thirumathikunnam which was a case of a train running into trespassers on the line. As regards the accident near Nilambar when some boulders fell on women coolies, careful enquiries have been made into the case, and it is found that the slip which occurred was entirely accidental and was due in part to the formation of the rock and in part to the percolation of water over the top of the rock surface. The derailment of the Express at Chotpet was due to defective switch key of which the wards had worn away enabling the key to be fitted into the wrong points lock. This matter has received urgent attention and the keys have been altered so that the occurrence cannot be repeated. Regarding the accident to a motor car run into by a train at a level crossing at Tenmalai, this was not due to neglect on the part of the railway, but to the want of caution on the part of the driver of the motor car.

QUALIFICATIONS OF ENGINEERS AND SUBORDINATES IN THE PUBLIC WORKS DEPARTMENT, DELHI.

21. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that many Indian engineers and subordinates serving in the Delhi P. W. Department have no recognised degrees or certificates for professional training? Will Government kindly lay on the table a statement showing the names of (Civil, Electrical and Mechanical) Assistant Engineers, Temporary Engineers, Sub-engineers and subordinates (both temporary and work-charged) serving in the Delhi P. W. Department with the following information against each name :

1. Age up to 1st January, 1928 ;
2. Date of joining Public Works Department, Delhi ;
3. Rank and pay, at the time of joining, whether regular or work-charged ;

4. Present rank and pay ;
5. Degree or certificate obtained from any recognised technical institute ;
6. General education, examination passed ;
7. Date of holding charge of Sub-division ;
8. Religion and either belonging to agricultural tribe or not ;
9. War services, if any, and where and when ;
10. Permanent residence, village, tehsil and district ;
11. Actual rank and pay of substantive post, if on deputation ?

**QUALIFICATIONS OF CLERKS OF THE PUBLIC WORKS DEPARTMENT AND THE
CENTRAL ACCOUNTS OFFICE, DELHI.**

22. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that many non-matriculate clerks are serving in the Delhi Public Works Department and in the Central Accounts Office, Delhi ? Will Government kindly lay on the table a list of such clerks, both temporary and work-charged, serving in the above offices with the following information against each name :

1. Age up to 1st January, 1928 ;
2. Date of joining Public Works Department, Delhi ;
3. Rank and pay, at the time of joining, whether regular or work-charged ;
4. Present rank and pay ;
5. Examination passed ;
6. School and year in which passed ;
7. If Accountancy examination passed in case of Head Clerks and Accountants and accounts clerks ;
8. Religion and either belonging to agricultural tribe or not ;
9. War services, if any, and where and when ;
10. Permanent residence, village, tehsil and district ;
11. Actual rank and pay of substantive post, if on deputation ?

THE HONOURABLE MR. A. C. MCWATTERS : With your permission, Sir, I propose to answer Questions Nos. 21 and 22 together. Government regret that they cannot undertake to collect all the information asked for in these questions as it would involve a disproportionate amount of time and labour.

**RESTRICTIONS ON THE PROMOTION OF ENGINEERING SUBORDINATES TO
THE POST OF EXECUTIVE ENGINEERS.**

23. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that there is restriction against engineering subordinates being promoted to the post of Executive Engineers, and onwards ?

THE HONOURABLE MR. A. C. MCWATTERS : There is no rule in Delhi debarring engineering subordinates from promotion to the post of Executive Engineers. As a matter of fact, two engineers holding charge of divisions commenced their career in other Provinces as subordinates.

ASSISTANT ENGINEERS HOLDING CHARGE OF SUB-DIVISIONS IN THE PUBLIC WORKS DEPARTMENT, DELHI.

24. THE HONOURABLE MR. MAHMOOD SUHRAWARDY: Is it a fact that in the Delhi Public Works Department the following Assistant Engineers were holding charge of sub-divisions and that they were subsequently removed from the Delhi Public Works Department : 1. Mr. Farman Ali, 2. Mr. Abdul Hamid Khan, 3. Mr. C. L. Kumhar, 4. Mr. Kewal Ramani, 5. Mr. Agyawami, 6. Mr. Palsule, 7. Mr. Diwan, 8. Mr. Sham Sunder Lal.

THE HONOURABLE MR. A. C. MCWATTERS: All the gentlemen mentioned have held sub-divisions in the Delhi Public Works Department and have since left the Department.

APPOINTMENT OF SUBORDINATES IN THE PUBLIC WORKS DEPARTMENT, DELHI, TO HOLD CHARGE OF SUB-DIVISIONS.

25. THE HONOURABLE MR. MAHMOOD SUHRAWARDY: Is it a fact that now in the Delhi Public Works Department subordinates are holding charge of sub-divisions and that they are drawing Rs. 75 per mensem sub-division allowance ; if so, will Government kindly state the reasons for posting subordinates to responsible offices ?

THE HONOURABLE MR. A. C. MCWATTERS: In the Delhi Province there is as yet no permanent cadre and no Provincial Engineering Service exists as in other Provinces. It is members of this Service who are intended to fill sub-divisions, and the ranks of this Service are filled by officers who are previously termed "subordinates".

In the absence of this Provincial Service, sub-divisional posts in Delhi are largely filled by subordinates who are in receipt of a sub-divisional allowance of Rs. 75 per mensem.

RECRUITMENT BY ADVERTISEMENTS IN THE NEWSPAPERS OF ENGINEERS AND SUBORDINATES FOR THE PUBLIC WORKS DEPARTMENT, DELHI.

26. THE HONOURABLE MR. MAHMOOD SUHRAWARDY: Is it a fact that the Delhi Public Works Department never attempted to get qualified engineers or subordinates by advertising in any of the newspapers from time to time as vacancies occurred ?

THE HONOURABLE MR. A. C. MCWATTERS: Yes. Owing to the large number of applications for posts which are received and registered it has not been found necessary to advertise.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY: In future do Government propose to advertise in the newspapers before a vacancy occurs ?

THE HONOURABLE MR. A. C. MCWATTERS: No, Sir.

DISCHARGE OF MUHAMMADAN DRAFTSMEN IN THE PUBLIC WORKS DEPARTMENT, DELHI.

27. THE HONOURABLE MR. MAHMOOD SUHRAWARDY: Is it a fact that the following Muhammadan draftsmen were brought under reduction this year :

1. Babu Amir Hasan ; 2. Babu Samin Hussain ; 3. Babu Sharif Ahmed ;
4. Babu Masud Ali ; 5. Babu Hamiduddin ; 6. Babu Amir Mirza ; 7. Babu Abdur Rashid ? If so, will Government kindly state the reason for reducing Muhammadans and not Hindus ?

THE HONOURABLE MR. A. C. McWATTERS : Yes. In dispensing with the services of Government employees the practice is to get rid of those whose records are less satisfactory than those of others.

I may mention that the number of draftsmen of different creeds is :

Muhammadans	.	.	.	.	.	.	.	34
Hindus	.	.	.	.	.	.	.	34
Sikhs	.	.	.	.	.	.	.	6
Christians	.	.	.	.	.	.	.	6

ABOLITION OF THE APPOINTMENT OF BABU AMIR MIRZA, DRAFTSMAN, HORTICULTURE DIVISION, DELHI.

28. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that the post of Babu Amir Mirza, draftsman, Horticulture Division, was reduced from 16th January, 1928 ?

THE HONOURABLE MR. A. C. McWATTERS : Yes.

REPRESENTATION OF M. ZULFIQAR ALI BEG, FATHER OF BABU AMIR MIRZA.

29. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that on 5th December, 1927, one M. Zulfiqar Ali Beg, Rais of Delhi, father of the said Babu Amir Mirza, sent his representation to the Chief Commissioner, Delhi, and to the Chief Engineer, Delhi. If so, will Government kindly state what, if any, action has been taken on the various points raised in the representation ?

THE HONOURABLE MR. A. C. McWATTERS : Government are informed that the Chief Commissioner has considered the representation received and sees no reason to interfere with the decision arrived at.

PREFERENTIAL TREATMENT IN THE MATTER OF CIVIL APPOINTMENTS TO PERSONS WITH APPROVED WAR SERVICES.

30. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that the Government of India in the Home Department has issued a circular in regard to the preferential treatment to be accorded to candidates for civil employ on the score of war services ?

THE HONOURABLE MR. H. G. HAIG : A Resolution on this subject was issued in 1919.

INDIAN CLERKS' QUARTERS IN NEW DELHI.

31. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that the numerous Indian clerks' quarters, type "E," now called "D" are constructed under provision of estimates No. 97-108 (of 1917-18) sanctioned by the Chief Commissioner, Delhi, under his works No. 9-20 (of 1917-18); if so, will Government kindly state the total number of such quarters, and the total quantity of brick-work in mud in superstructure for each quarter ?

THE HONOURABLE MR. A. C. McWATTERS : Yes. The total number of quarters is 320, and the total quantity of brick-work in mud in superstructure is 1,420 c. ft. per quarter.

PAYMENTS MADE TO CONTRACTORS FOR CLEARANCE OF DEBRIS IN CONNECTION WITH THE CONSTRUCTION OF LEGISLATIVE BUILDINGS IN DELHI.

32. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Is it a fact that in connection with the construction of legislative buildings, Delhi, debris cleaning has been paid to the contractors? If so, will Government kindly state the total quantity of debris and the total amount paid to contractors for this item?

THE HONOURABLE MR. A. C. McWATTERS : Yes. The quantity of debris was 18,620 cubic feet, and the amount paid to the contractor was Rs. 465.

LEVY OF AN INCREASED IMPORT DUTY ON FOREIGN YARN, ETC.

33. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : (a) Will the Honourable Member in charge of the Commerce Department be pleased to state what action, if any, has been taken by Government to give greater protection to the Indian textile industry by the levy of an import duty on foreign yarn as recommended by the majority report of the Tariff Board?

(b) Will the Honourable Member be pleased to lay on the table a comparative table of the rate of duties on Indian and foreign yarns for the last three years and the current year?

THE HONOURABLE SIR GEOFFREY CORBETT : (a) The majority of the Tariff Board did not recommend that protection to the textile industry should be given by means of an increase in the import duty on foreign yarn; The Honourable Member is, however, referred to the Indian Tariff (Cotton Yarn Amendment) Act, 1927, by which the import duty on cotton yarn was altered from 5 per cent. *ad valorem* to 5 per cent. *ad valorem* or 1½ annas per lb; whichever is higher, in order to protect the industry against competition in cotton yarn produced under industrial conditions which enable such yarn to be produced at a cost below that at which it can be produced in British India.

(b) The import duty on foreign cotton yarn was 5 per cent. *ad valorem* until it was altered as already stated with effect from the 22nd September 1927. There is no duty on Indian yarn nor was there any during the last three years.

ACTION TAKEN ON THE RECOMMENDATION OF THE TAXATION ENQUIRY COMMITTEE TO MAKE INDIA SELF-SUPPORTING IN THE MATTER OF SALT SUPPLY.

34. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : (a) Will the Honourable Member in charge of the Finance Department be pleased to state whether the investigation referred to in his reply to question 67 (a) and (b) published in Volume IX, No. 4 of the Debates of 14th February, 1927, has been completed and whether he will make the result of the investigation available to the Honourable Members of this House before any action is taken by the Government?

(b) Will the Honourable Member be pleased to state whether the Government has arrived at any decision on the same?

(c) If the investigation be not completed, will the Honourable Member be pleased to state the date when the special officer was appointed and how long will he take to finish the investigation?

THE HONOURABLE MR. E. BURDON : The special officer completed his investigation recently. The matter is under the consideration of the Government, and I hope that a decision will be announced shortly.

PROVISION OF A SEPARATE INTERMEDIATE CLASS WAITING ROOM AT KHARAGPUR RAILWAY STATION.

35. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Will the Honourable Member in charge of the Railway Department be pleased to state whether any action has been taken by the Bengal Nagpur Railway Company, Limited, to provide a separate intermediate class waiting room at Kharagpur railway station in the District of Midnapur, Bengal ?

THE HONOURABLE SIR GEOFFREY CORBETT : It is not known what action has been taken by the Bengal Nagpur Railway in the matter. The Government have continually pressed on Railway Administrations the desirability for increasing amenities for passengers, and if the Honourable Member will refer to the Administration Reports he will see the progress made by the Bengal Nagpur Railway in this respect. But Government cannot undertake to decide on the relative urgency of such improvements as may be required.

CONSTRUCTION OF A RAILWAY BETWEEN CONTAI AND CONTAI ROAD STATION ON THE BENGAL NAGPUR RAILWAY.

36. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Will the Honourable Member in charge of the Railway Department be pleased to state when the actual construction of the railway line between Contai in the Midnapur District, Bengal, and Contai Road station on the Bengal Nagpur Railway is expected to be commenced ?

THE HONOURABLE SIR GEOFFREY CORBETT : The project estimate has only lately been received by the Railway Board, and they have not yet arrived at any decision on it.

CONSTRUCTION OF A RAILWAY BETWEEN SANITHIA AND BHERAMARA.

37. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Will the Honourable Member in charge of the Railway Department be pleased to state when the construction of the sanctioned railway line between Sanithia and Bheramara in the District of Birbhum (Bengal) will be taken up ?

THE HONOURABLE SIR GEOFFREY CORBETT : The survey of the line has recently been completed by the Eastern Bengal Railway Administration, and the estimates are expected shortly. It is not possible to say when or whether the construction will be taken up until the report and estimates have been examined.

HIGH COURT JUDGES.

38. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : (a) Will the Government of India be pleased to state the number of Indian High Court Judges in British India, province by province, for the last 12 years ? How many of them are Hindus and how many Muslims, Parsis and Sikhs ?

(b) How many of them have been appointed from the rank of vakils and how many from that of barristers ?

(c) Do the Government propose to consider the desirability of appointing suitable Muslim barristers or vakils to the provinces where no Muslim High Court Judge has yet been appointed ?

(d) If suitable and efficient Muslim barristers or vakils are not available for the office of High Court Judges in any particular province, do the Government consider the desirability of appointing one from other provinces ?

THE HONOURABLE MR. H. G. HAIG : (a) and (b). I regret that Government have not got information for the last 12 years. Such information as is available is being placed in the Library.

(c) and (d). Permanent appointments to the High Courts are made by His Majesty under section 101 of the Government of India Act. The main consideration in filling up vacancies in high judicial appointments must always be that of efficiency : subject to this the claims of Muhammadans whether belonging to the particular province or not no less than those of members of other communities receive due consideration.

DISTRICT AND SESSIONS JUDGES.

39. THE HONOURABLE MR. MAHMOOD SUHRAWARDY : How many District and Sessions Judges have been appointed, province by province, since the recommendations of the Lee Commission for the All-India services have been given effect to ? How many of them are, province by province, taken from the ranks of barristers, and how many of them are Hindus and Muslims, respectively ? Do the Government consider the desirability of increasing the number of Muslims in the judicial service in each province, where such appointments are few or have not been filled up by Muslim barristers ?

THE HONOURABLE MR. H. G. HAIG : I am placing in the Library a statement giving the information in respect of appointments to "listed" posts, to which I understand that the Honourable Member refers. The implication in the last sentence of his question is not altogether clear. The majority of these posts are filled by promotion from the Provincial Civil Service; and, as the Honourable Member is aware, it is not the policy of Government to take communal considerations into account in making promotions. So far as appointments from the Bar are concerned the matter is primarily one for Local Governments, who make these appointments in consultation with the Public Service Commission. But I must point out that the system of filling certain posts of District and Sessions Judge from the Bar was devised for reasons entirely unconnected with communal claims.

RESOLUTION *RE* IMPOSITION OF A PROHIBITIVE IMPORT DUTY ON ARTIFICIAL GHEE.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I beg to move the following Resolution which stands in my name :

"This Council recommends to the Governor General in Council that 150 per cent. *ad valorem* duty be levied on the import into this country of artificial ghee or any other similar vegetable products or compounds which have not been given a harmless permanent fast colouring excepting yellow shades to distinguish it from pure ghee and to avoid adulteration with it."

Sir, I have again ventured to bring this question of artificial ghee or vegetable fats before this Council. Two years back I had proposed to put 100 per cent. *ad valorem* duty on the import into this country of vegetable fats and similar vegetable products. Frankly speaking, my object then was to stop the import

[Lala Ram Saran Das.]

into this country of artificial ghee. My reasons for taking this drastic step were simple. Medical authorities have found out that the food value of vegetable ghee is very low. During the last two years further medical evidence has accumulated which goes to show that artificial ghee, which consists mainly of vegetable fats, is very deficient in food value. Some time back Captain D. R. Thomas, Chemical Examiner, Punjab, carried on an experiment to find out the food value of vegetable ghee popularly known as *vanaspati*. The sample selected for experiment was the "Lily" brand of *vanaspati*, which is the most costly and which is produced in Holland. It is considered to be the best of the solidified vegetable oils. The most apparent chemical difference in its composition as compared with good ghee was its Reichart-Meissel value of only 1.8. Good ghee has a Reichart-Meissel value of 24 to 32 in the Punjab. As to its food value when compared with good butter fat, an experiment was carried out on two female kittens of the same litter fairly near in size and weight. kitten "A" was put on fresh milk taken from a Government dairy and which contained a known percentage of 3.75 of butter fat. The other kitten "B" was put on skimmed milk containing .25 per cent. of butter fat *plus* 3.50 per cent. of *vanaspati* fat. Kitten "A" put on weight, whereas kitten "B" lost weight. After one month the feeding was changed about, "B" getting fresh milk from the dairy farm whereas "A" was put on skimmed milk. Now "B" put on weight, but a little slowly, and "A" lost it. The effects on the kittens were very marked. The Chemical Examiner summarises his findings from the experiment thus :

1. That whenever a cat was fed on *vanaspati* mixture it declined in weight, while the cat on fresh milk thrived.
2. That the signs and symptoms apparent were those of starvation. The cat took the *vanaspati* mixture yet declined in weight rapidly.
3. That the cat after being put on *vanaspati* mixture for three weeks declined 168 grammes in weight and had partly lost her power of recuperation when put back on fresh milk. The damage done to her during the three weeks of retarded growth was very evident.

The Chemical Examiner reports :

"The above experiment is conclusive proof that there is something missing in *vanaspati* which is present in ghee, something which is necessary for growth and good health."

This something, he says, is undoubtedly a vitamin, and a vitamin identified with butter fat is vitamin "A". In his opinion the accessory food factor seems to have its own indispensable function by stimulating some secretion in the metabolism of fat. Its absence causes cessation of growth and wasting and consequently is very essential during the period of childhood. The younger the animal the greater the necessity for this food factor. The Chemical Examiner, Punjab, thinks the deficiency in vitamin "A" is responsible for such deficiency diseases as rickets. According to another medical expert, Dr. Plimmer, vegetable ghee is really a source of danger to the public and especially to the younger and growing section of the population. This is particularly applicable to the poor classes whose straitened circumstances compel them to consume the cheapest variety. According to Dr. Plimmer the danger of rickets and of stunted growth and bad teeth will increase if the people rely for their fat on vegetable ghee. Sore throat and lung diseases are also due to this.

Sir, I have given these long extracts from the opinions of medical experts to show how dangerous these vegetable fats are to the health of the people.

India is an agricultural country and the vast bulk of the population are pure vegetarians. The only animal food to which they are accustomed is ghee and milk. If pure ghee is also displaced by vegetable fats, the consequences are bound to be most disastrous. It is sometimes said that a similar problem arose in Europe when margarine displaced butter; but, Sir, even margarine contains a high percentage of unadulterated animal fat, and although inferior to butter it possesses a good food value in vitamins. Moreover, in Europe people are generally meat eaters and they can get vitamins otherwise as well. The manufacturers of vegetable fats or *vanaspati*, on the other hand, taking into consideration Hindu and Muslim sentiment, put on the market an article which is entirely free from animal fat. But this absence of animal fat deprives the *vanaspati* of all vitamins, which are essential for growth and health. The problem in India, therefore, Sir, where people are mostly vegetarians, is somewhat different from what it was in Europe. Pure vegetable fats are more injurious to us than margarine is to Europeans. The injurious nature of the vegetable fats is now not only admitted by medical authorities, but this opinion is now followed by the Army Department in India as well, who are the biggest purchasers of ghee. In answer to my question on the subject on the 23rd August 1926 His Excellency the Commander-in-Chief said :

"As a result of exhaustive experiments it has been found that metabolism is effected by the presence or absence not only of the normal protein carbo-hydrates and fat contents of a diet but also by accessory food factors popularly known as vitamins. Vitamin "A" contains the anti-rachitic element which is essential to physical growth. Ghee contains this vitamin in considerable quantities. Vegetable oils such as Cocogem do not contain it except perhaps in traces negligible for practical purposes. It is not thought desirable to deprive the Indian soldier of an article which contains substances essential to his growth and physical fitness in favour of one which does not and which would probably be much less acceptable to him than the article to which he has been accustomed from childhood."

Sir, if the Commander-in-Chief considers it undesirable to give vegetable fats to the Indian soldier because they do not contain vitamins, may I ask, whether it is desirable to allow pure ghee, an article of ordinary food for the masses in this country, to be displaced by a cheap preparation like that of *vanaspati*. In the interests of the general health of the people, it is essential that they, while purchasing ghee, should not be deceived. Taking the habits and sentiments of the people into consideration, I am sure very few Indians would with open eyes care to purchase vegetable fats. The importers of this stuff import it knowing full well that this, adulterated with genuine ghee, would pass off as good ghee. The ignorant people are very easily deceived. In fact it is almost impossible even for intelligent men to distinguish vegetable fats from pure ghee. This can be done only by an expert medical analyst. No wonder then, Sir, that vegetable fats which can be had so cheap should have become very popular with the importers and ghee merchants. The Government of India have begun to keep separate figures for the import of vegetable compounds from 1st April last. I have got figures up to the end of December last. Sir, this Council will be surprised to learn that the import figures for vegetable compounds which stood at 13,069 cwts. in April last were 61,175 cwts. in December last. Within a period of nine months the import of this article has increased by 468 per cent. We have imported during this period 320,069 cwts. or 432,000 maunds of vegetable compounds valued at Rs. 1,40,04,839. The average import price therefore comes to Rs. 32 per railway maund. A big importing firm in this line in Karachi is, I believe, importing more than 8,000 maunds of one particular brand into the Punjab. The price of this brand, I understand, is Rs. 22-8-0 per maund c.i.f. Karachi, and it can be put on the Punjab market at about Rs. 27-8-0 per maund. This price includes the middleman's profits and is sold as pure ghee, although mixed

[Lala Ram Saran Das.]

with the genuine article, which sells at between Rs. 70 to Rs. 80 per maund. If pure ghee and vegetable fats are mixed even half and half with *vanaspati* at Rs. 32 per maund, a ghee merchant can make 43 per cent. profit. With *vanaspati* at Rs. 27-8-0, he can make a profit of Rs. 49 per cent. In the Punjab, where ghee consumed per head of population is the largest, the situation has become very serious. *Vanaspati* is imported by rail into small stations. It is mixed with good ghee in the villages and then imported as pure ghee into towns and cities. The Municipal Boards have no power to prevent the adulteration carried on in the rural areas, and they cannot all of them for lack of funds afford to appoint and employ public analysts for analysing ghee brought into municipal areas. Many municipalities in the Punjab have now levied or are proposing to levy cent. per cent. or more than cent. per cent. duty on the import of artificial ghee. But the difficulty will still remain how to find out whether a particular sample is or is not adulterated. And yet the people continue to be induced under false pretences to purchase the counterfeit article, for nowhere, at least in the Punjab, is *vanaspati* sold as *vanaspati*. Unless the evil is checked at once and immediate steps are taken to cut the evil at the root, the health of the people, especially in Upper India, is bound to suffer very much, for in these parts of the country people do not consume oil in their food to a great extent. Under the present circumstances when ghee merchants are making such huge profits, the imports of *vanaspati* are bound to go up by leaps and bounds as the import figures of the last nine months already show.

Sir, I do not propose in this Resolution to prohibit altogether the import of vegetable compounds into this country. If people wish to buy and consume it in their food, they may do so. What I want is that there should be no chance of the people being made victims of fraud and deception. As I have already said, under the present circumstances it is impossible for laymen to distinguish vegetable fats from pure ghee. I therefore propose that if *vanaspati* is to be imported, it must be coloured with such a permanent deep colour, excepting yellowish shades, that it should be readily distinguishable from the genuine article and that adulteration should become impossible. I believe the Punjab Government has already addressed the Government of India on this subject. This was in pursuance of a Resolution moved in the local Council, and it shows how strong the feeling on this subject is in that province. If the dealers in vegetable compounds do not agree to permanently colour this stuff with harmless, fast, deep colours excepting yellowish shades, then an import duty of at least 150 per cent. *ad valorem* should be put on it. The average import price of *vanaspati* is Rs. 32 per maund, and an *ad valorem* duty of 150 per cent. would mean a duty of Rs. 48 per maund, thus making its import price equal to Rs. 80 per maund, which is the price of pure ghee. If the dealers in *vanaspati* wish to avoid this prohibitive import duty and retain the duty at the present rate of 15 per cent. *ad valorem*, they must compel the manufacturers to give it a fast, deep colour, so that no fraud may be practised on the people.

I hope, Sir, the Government will see their way to accept this Resolution, and I am sure this House will join me in supporting it.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muhammadan) : Sir, I rise to support this Resolution. It is only of recent years that we have had imports of vegetable products in this country, but these imports are increasing at an amazing rate and much to the detriment of the health of the poor of this country and also to the detriment of some of our trades and industries as I hope to show. In the first eight months of the official year 1927-28 ending 30th November 1927, the imports in weight amounted to 258,894

cwts. and in value to Rs. 1,13,43,487. This item is not stated separately in the trade returns for previous years, but if we eliminate the other items by basing their imports on the average of past years, we arrive at the value of 70 to 75 lakhs of vegetable products in 1925-26 and of 90 to 95 lakhs in 1926-27, or roughly an increase of 25%. I have given you the value of imports in the first eight months of the current year at 113½ lakhs. If imports continue at the same rate in the remaining four months of the year, the increase in 1927-28 over the preceding twelve months will amount to 75% and to 125% over the figures of two years back.

These vegetable products which are imported under different labels are merely oils. They contain no vitamin and they are not in the same class for feeding purposes as cocoanut and other oils made locally and are therefore inferior. The Honourable the Mover has given the opinions of certain experts. I may be allowed to quote the opinion of Colonel F. P. Mackie, I.M.S., Director, Bombay Bacteriological Laboratory at Parel, Bombay, given in 1924. He says :—

“I am dead against the substitution of animal fats by vegetable oils, and consider that it should be vetoed at once at any rate until the vitamin content of such substitution has been proved to be as high or nearly as high, as ghee. This, as far as I am aware, is not the case in any vegetable fat and most of them contain none at all. I am sorry to see these substitution products put on the market at all and think the Municipal authorities should prohibit their sale unless they can be proved to contain a fair quantity of fat soluble vitamin. Otherwise the requirements of economy will result in children being brought up on those oils—a procedure which may have a disastrous effect on public health. I say all this on the presumption that these vegetable oils are deficient in vitamin. As to the question of giving them to the hospital patients. I should forbid it absolutely.”

The Honourable the Mover has quoted the opinion of the expert of the Punjab Government. Captain D. R. Thomas, I.M.S., Chemical Analyser to the Punjab Government, conducted experiments on two kittens with the object of roughly estimating the food value of *vanaspati* (vegetable ghee) as compared with butter fat (genuine ghee). He found “that whenever a cat was fed on *vanaspati* mixture, it declined in weight whilst the cat on fresh milk thrived. That the signs and symptoms apparent were those of starvation.”

Another authority Dr. Plimmer says :

“That the present day popularity of vegetable ghees, which we owe to the skill of the manufacturer in rendering them palatable, is really a source of danger to the public and especially to the growing section of the population. This is particularly applicable to the poor whose straitened circumstances compel them to eat the cheapest variety. There is a danger of rickets and of stunted growth, and bad teeth will increase if they rely for their fat on the vegetable ghees.”

Quite recently Dr. Thomas was engaged in an investigation of this brand of vegetable product imported under the name of *vanaspati*. We find in ‘Capital’ of as recent a date as 26th January 1928 that in the opinion of this expert the samples analysed were very clean and pure, but entirely lacking in the very important fat-soluble vitamin and he warns the consumers of the grave risk they are running in substituting this vegetable product for ghee.

These vegetable products are very little used for cooking purposes in the condition in which they arrive. This is so on the Bombay side. I do not know if it is any different elsewhere. In Bombay they are adulterated with locally made ghee and the public are cheated into paying the prices of ghee for an adulterated product which is by no means as good as ghee. In Bombay city alone there are some 20 or 25 large factories whose regular business is to adulterate ghee with imported vegetable products, and there are several

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hundred small concerns which carry on the same illicit trade. The adulteration is done so universally that it may safely be said that in Bombay genuine ghee is practically unprocurable in the bazaars except when the Ghee Merchants' Association are able to supervise the shops directly. In other centres it is said to be worse, and the Honourable Mover has told us of the conditions in the Punjab where perhaps ghee is more used for cooking purposes than in the other provinces.

These vegetable products come mostly or almost exclusively from Holland which country does not produce oilseeds and they come to India which is the greatest oilseed producing country in the world. It follows therefore that Holland purchases the oilseeds from India, carries them to Holland, then extracts the oil and there are further the costs of manufacture of the vegetable product itself to be added to those of extraction *plus* the freight to India and the middleman's profit. It is very probable therefore that some cheap and valueless ingredients are added to reduce the cost to a sufficiently low level to enable the products to be sold so cheaply as even to compete with locally made seedoils which are also used for cooking purposes.

I have heard the argument advanced that why need we interfere if the poorer people cannot afford to buy ghee and are content to use the imported article for cooking purposes? I have already quoted the opinion of experts that the imported article is injurious to health, and from that point of view alone Government should take steps to see that we do not get these imports; and such imports will cease if the duty on them is raised from 15% which it is to-day to at least 100%, if not to 150% as recommended in the Resolution, for otherwise it is bound to compete with locally made oils.

There is also the argument used that these vegetable products are imported because enough ghee is not made in the country. Enough ghee was made in the past, why should it not be so now? The fact however is that it is the imports of these vegetable products which has financially ruined ghee manufacturers who cannot make ghee and sell it at a profit. This is our experience in the Bombay Presidency. Before the import of these vegetable products, 15 members of the Bombay Ghee Merchants' Association used to sell per day about 2,500 tins of ghee for local consumption, but to-day this daily sale has come down to 400 to 500 tins only. In Kathiawar, Gujarat and other places of India, there is a special class of farmers called the Maldharis whose ancestral business is to breed milch cattle and to produce milk and ghee. But now, these Maldharis are not in a position to maintain their cattle as they do not find a proper market for their produce under the changed conditions. Many such Maldharis have actually given up their business of cattle breeding and others may be tempted to do the same if the prospects of the ghee-trade are not improved. The result of this will be that our milch cattle in herds will be abandoned. The most expensive vegetable product known as the "Lily brand" costs about Rs. 43 per Bengal maund in Lahore, while the price of good ghee is about Rs. 80 or nearly double.

This will convince the Council that real harm is being done to the cattle breeding and dairy farming industries of this country. The growing children and the young cattle of India already suffer from the lack of a proper supply of milk. Dairy farming depends for its success not merely on the sale of milk, but also on the sale of milk products, such as ghee, butter, etc. This industry is passing through critical times and is now being threatened with ruin by the

action of the unscrupulous mixers. Government should come to their rescue. Government desire improvements in cattle breeding in this country. If means are not adopted to check the imports of vegetable products, cattle breeding and dairy farming will suffer greater losses than what they are doing to-day.

In September of last year a Conference was held at Poona for the consideration of the steps necessary for the improvement of cattle breeding, etc., of the Bombay Presidency. Two important resolutions were passed thereat, and with your permission, Sir, I propose to read them. The first reads :

“ As this Conference is convinced that the improvement of cattle breeding will depend to a great extent, on the improvement of the indigenous butter and ghee trade, as both are so closely interdependent that if the latter is given the required protection, the former will automatically be improved and as at present the butter and ghee trade of this Presidency is in danger of being entirely ruined by the heavy imports of the imitations of butter and ghee, the otherwise so called “ vegetable products ” and consequent extensive adulteration which they serve to be practised owing to their deceiving resemblance to genuine butter or ghee, this Conference urges the authorities either—

- (a) to immediately put a complete stop to this adulteration of butter and ghee throughout the Bombay Presidency by more stringent and more effective measures than the existing measures (namely, the Bombay Prevention of Adulteration Act, 1925 ; the City of Bombay Municipal Act, 1899, and the Bombay District Municipal Act, 1901, etc.); or
- (b) to entirely prohibit the imports themselves of these imitations of butter and ghee and thus save the butter and ghee business of this Presidency from ruin.”

The second resolution shows what some parts of India have already done in this matter. It reads :

“ This Conference congratulates the following States and Municipalities who have prohibited the imports, into their boundary, the so-called “ vegetable products ” and who have taken severe and exemplary steps against adulteration of butter and ghee.

They are (1) Porebunder, (2) Navanagar, (3) Junagad Municipality, (4) Junagad, (5) Maharaja Thakore Saheb Shri Lakhdiraj, (6) Vadhwan, (7) Palitana, (8) Dhrroll, (9) Sayla, (10) Rajkot Municipality, (11) Edar State, and (12) the Baranagar Municipality.”

My remarks are based mostly on the information we have in the Bombay Presidency, but it appears conditions are the same in other Presidencies as well and it is necessary therefore that the Central Government should take action in the matter, and I trust that Government will not only accept the Resolution but will do all in its power to prevent the imports of these vegetable products as much in the interest of the health of the poor of this country as also in the interest of local industries.

THE HONOURABLE MAJOR-GENERAL T. H. SYMONS (Director General, Indian Medical Service): Sir, my predecessor in March 1926 found it necessary to enlighten the House on the subject of vitamins. I think Honourable Members will agree with me that, after the speeches we have heard from the Honourable Mover and the Honourable Sir Phiroze Sethna, it is not necessary for me to repeat the statements made by General MacWatt. We have learnt all that is necessary on the subject. They have told us nothing new about vitamins. We, in the medical profession, are perfectly well aware that pure ghee, which as you know is clarified butter, does contain a large element of vitamin A, whereas these vegetable oils contain practically no vitamin. As a medical man I rather object to the term “ artificial ghee ”. The word ghee should not be applied to an oil which has been solidified. Now, there is not a sufficient quantity of pure ghee to meet the demands of the Indian market. My predecessor told the House in March 1926 that the ordinary ghee was always adulterated with oils, which were sold in the bazars of this country. These

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vegetable ghees or vegetable oils found a demand and they were imported into the country. As Sir Phiroze Sethna pointed out there are various kinds of oils. The seeds are sent from the Indian market to the European market. There the oil is manufactured by a process of hydrogenation and the pure oil is sent back to this country, and that pure oil is used by a large number of Indians in which to cook their food. They find it a pure oil and they find it much cheaper than the ordinary pure ghee. Now, I maintain that if the public wish to use the cheaper product and that cheaper product is pure, we have no right to step in and try to dictate to them what articles they should cook their food with. What I do maintain is that they should know the product they are using. If they like to use the pure ghee, let them do so; but if they like to use the artificial oils, let them do so.

THE HONOURABLE SIR PHIROZE SETHNA: Even if it is injurious, as some medical experts have said?

THE HONOURABLE MAJOR-GENERAL T. H. SYMONS: I disagree with that. I think it is a pure product. Let the public know that they are buying either pure ghee or pure oil. The Public Health Acts of Great Britain have this clause:

"No person shall sell to the prejudice of the purchaser any article, food or any drug which is not of the nature, substance and quality of the article demanded by such purchaser save under a penalty not exceeding £20; Provided that no offence shall be committed under this section in the following cases." etc.

In England that law exists and we can do the same thing here. The public can know whether they are buying pure ghee or whether they are buying vegetable oils. The vegetable oil is a wholesome product. It contains no vitamins and if the public wish to buy vegetable oils we have no right to stop them. Sir Phiroze Sethna in the course of his speech said that the oils which were manufactured in Europe and imported into this country were not of the same quality as those manufactured in this country. I quite agree, because the products manufactured in Europe and sent out to this country are of purer quality than those manufactured here. These so-called artificial ghees are made up with pure vegetable oils. There has not been a sufficient quantity of ghee in this country to meet the demands of the public. Now, those who can afford to do so buy ghee, and those who cannot afford to buy ghee, buy the pure oil, and between the two we have various degrees of adulteration. In previous days we had adulteration of pure ghee with bad oils, such as castor oil and rape oil. Now, we are told there is an adulteration in varying degrees with artificial oils. If the artificial oil or vegetable oil be mixed, then it will give a definite colouring tint to the adulterated mixture. As regards this process of colouring, as far as we know there is no reason why some fixed colour should not be adopted. It has never been tried and it would have to be experimented with to ascertain the amount of colouring matter necessary to give a permanent colouring. There is no objection at all to this so-called artificial ghee—though that is a term I object to—being coloured with some distinctive colour. The public would then know whether they were buying vegetable oil or ghee, and if they do buy vegetable oil with a colour tint in it they will be buying it with their eyes open.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN (Punjab: Nominated Non-Official): Sir, the subject has been dealt with so fully by previous speakers that I need hardly add anything to the debate except that I strongly support the Resolution. We people in the Punjab generally enter the Army and we feel that our young ones should have good food, so that the

material which is used in looking after the country and its safety should be as strong as possible. Also an able-bodied man who works hard naturally requires good stuff to eat, food which is both good and wholesome. I therefore support the Resolution.

THE HONOURABLE SIR ARTHUR FROOM (Bombay Chamber of Commerce) : Sir, I do not pretend to be an expert on this question of ghee, but I have listened very attentively to the debate so far as it has gone, and it appears to me out of the debate two questions arise. One is, if this import duty of 150 per cent. is placed on artificial ghee, would the result be a material increase in the manufacture of pure ghee or a material increase in the manufacture of vegetable oils in this country? My next question, which I hope will be answered during the course of the debate, is whether the vegetable oils in this country are better than the imported artificial ghee or oils? Those are the two questions and I should like a reply to them from some one with a qualified knowledge of the subject if he will be good enough to give one.

THE HONOURABLE MAJOR-GENERAL T. H. SYMONS : As regards the quality, the vegetable oils imported from Europe are of a better quality than those manufactured in this country, simply because the manufacturing process is a better one. The oil manufactured in Europe is made principally, I should say almost entirely, from seeds sent from India. Therefore it is simply a question of manufacture.

THE HONOURABLE SIR ARTHUR FROOM : In mentioning quality does the Honourable Member mean it is better for health?

THE HONOURABLE MAJOR-GENERAL T. H. SYMONS : It is simply a question of the purity of the oil. The quality from the food point of view is the same in both cases.

THE HONOURABLE SIR DINSHAW WACHA (Bombay : Nominated Non-Official) : Sir, years ago, about 1890 or 1892, this ghee question came up in the Bombay Municipality. After months and months of deliberation and discussion the late Sir Vithaldas Thackersey's father, another gentleman, and myself brought in a Ghee Bill and the Bombay Municipal Ghee Act was passed. A good deal of adulteration of ghee was going on in different parts of the city but the Act was not exactly a restraint on such adulteration, because it enacted that dealers may sell pure ghee, but if they wished to sell adulterated ghee they could only do so by putting a ticket on the jar stating that it was adulterated ghee, and it was left to the consumer to buy the pure ghee or the adulterated ghee. That was the solution then found, but unfortunately soon afterwards it was discovered that even adulterated ghee was risky as the ingredient mixed was a kind of vegetable oil of a deleterious character imported from Germany. And when the Municipality eventually took up the question and caused the ingredient to be analysed the Health Officer reported that that particular oil which came from Germany was a little poisonous. And so after the experiments made by the Municipal Health Officer it was pronounced to be injurious to health. Ample publicity was given which afterwards led to a decline of the imported oil. Now the question really before us is, whether this proposed 150 per cent. duty if at all levied would put an end to other kinds of adulteration which may go on from use of ingredients found in India itself? My friend Sir Arthur Froom has said that if the imports of such oils are stopped, what guarantee is there that the oils may not be manufactured and substituted in India just the same. For some years past there has been a kind of ghee or vegetable oil introduced into Bombay which is broadcasted by the Tata Company. It is called Cocogem. Many people do not like it and say it is injurious to health. How far the statement is correct I cannot say. I do not

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want to attack it but in the opinion of several consumers in Bombay it is considered injurious. Perhaps other people hold a different opinion. It is therefore a difficult subject to legislate on. But generally speaking I am very glad that my two Honourable friends have given a good deal of publicity to the injurious character of the imported vegetable ghees. Let me congratulate them on having brought this matter to our notice, so that the public can themselves try to bring about some solution whereby the health of the population may be benefited. Already influenza, malaria and other diseases are annually carrying off thousands and thousands of people, and here we have another danger—a kind of peril, I do not know whether it is a white peril or a black peril—but still there it is, and it is possible that the population will suffer if imports of these vegetable oils into India are more largely increased.

THE HONOURABLE SIR GEOFFREY CORBETT (Commerce Secretary) : The subject-matter of this Resolution has been before this House once or twice before in different forms, and it is a matter which obviously excites a good deal of public interest, not only in the Punjab and in Bombay, but elsewhere. It may help the House to come to a conclusion if I try to analyse to some extent the objects which underlie the Resolution, as interpreted by different speakers to-day.

The first object, I think that we have heard is that it is actually desirable to prevent the use of *vanaspati* on the ground of health, that is, that it is actually injurious to health. My Honourable friend Major-General Symons has refuted that. He says there is nothing injurious in *vanaspati*. It is merely lacking in certain qualities, in vitamins that ghee has, but there is nothing actively injurious. Unless you should think that that is merely a case of my Honourable friend stating his opinion against that of another, a case of doctors disagreeing, I will read to you what Captain Thomas actually said himself, the officer who has been quoted by the Honourable Mr. Ram Saran Das, and on whose experiments with kittens Mr. Ram Saran Das' case is partly based. Captain Thomas said in the same report in which he refers to his experiment with kittens :

"The fact remains that these vegetable ghees fulfil the requirements of India except that they are deficient in vitamins. They are without doubt prepared in scrupulously clean factories and are not exposed to various forms of contamination that beset the preparation of ghee in Indian bazaars. Previous to its importation, bazaar ghees were adulterated with all sorts of objectionable fats, accounting for their rancidity and offensive smell. I have noted of late that *vanaspati* is now generally used as an adulterant of ghee. It is without doubt a great improvement on the old-fashioned adulterants. Mixed with ghee or alone it makes a very good cooking fat."

That is the opinion given by Captain Thomas,—his considered opinion, in the same report in which he describes his experiments on kittens on which my Honourable friend, Lala Ram Saran Das, relies. And the Punjab Government, through their official representative in the debate in the Punjab Legislative Council last November, to which my Honourable friend referred, gave their opinion as follows :

"Captain Thomas has shown that this *Banaspati ghi* and other similar *ghis* are lacking in one very essential constituent, but he has also shown that in themselves they are exceedingly pure and healthy foodstuffs which if supplemented by other substances containing the essential vitamin can only be beneficial to people who consume them. Now the position as it presents itself to Government is this. Here we have an excellent food being made available more cheaply than natural *ghi*. We admit that for infants and nursing mothers this food is not suitable on account of the defect in its constituents, but it is suitable for adults in many circumstances if supplemented by other food. If we in any way succeed in checking the import of this new product, the result must be to force up the price of natural *ghi*."

To go a little further, my Honourable friend, Sir Phiroze Sethna, has suggested that the import of *vanaspati* and its increased use is leading to increased adulteration and consequently has a bad effect on the cattle industry. Now of course everybody must admit that adulteration is no new thing, and it is very easy to prove that it is no new thing. In the debate in 1926 one of the speakers quoted the written opinion of Sir George Watt, given as long ago as 1885. His was a name well known in Bombay I think from which my Honourable friend comes. Speaking about the adulteration of *ghee* he said :

" The chief articles used in the adulteration of *ghee* are vegetable oils such as cocoanut, ground-nut, cotton, safflower, poppy, sesamum, niger and *kokum*. These are all harmless enough, though cheaper than *ghee* ; but injurious oils are also used, especially *mahua*, *Salvadora* and castor-oil. Other animal fats, especially mutton, are largely utilised
* One of the most valuable papers on the adulteration of *ghee* is that written by Mr. Shroff, who states that the Bombay *ghee* trade is in the hands of a dozen merchants, and that adulteration is effected, not by the dairymen, but by the traders. The fats used are often most offensive and deleterious substances, at times even obtained from the carcasses of diseased animals."

Later, in 1914, Mr. Sampson, Deputy Director of Agriculture, Madras, made an inquiry there and reported that " the petty dealer, it is usually stated, makes six tins out of four of the *ghee* which he collects. This is done by adding safflower oil or animal fat, which latter is obtained from the *Malas*, who melt it down from the carcasses of dead animals."

The question therefore is, not whether *ghee* is to be adulterated or not before it is sold to the Indian public, but with what it is to be adulterated. I think this House must agree that it is better that it should be mixed with pure and carefully prepared vegetable oils rather than with the very unpleasant substances with which it was adulterated before this import of *vanaspati* began.

So much for the first issue which is raised in this Resolution. The second is that it is desirable to protect the production of indigenous articles in India. This of course is inconsistent with the first object of the Resolution, for, if it is true that these oils are really injurious to health, it clearly cannot be advantageous to encourage their further production in India by a heavy measure of protection. From that point of view, I think my Honourable friend, Sir Phiroze Sethna, who laid some stress on the dislocation to Indian trade and industry, is rather on the horns of a dilemma. He cannot have it both ways. He cannot say that this is injurious to health and therefore ought not to be consumed, and at the same time that the indigenous industry of vegetable oil-making is being damaged by the import of a better article from Holland. As my Honourable friend, Major General Symons, has said, all the raw materials of this *vanaspati* exist in India and in fact are very largely exported from India to Holland, are manufactured there and come back again. From that point of view it is obviously desirable, assuming this to be a satisfactory product which is going to be eaten in largely increasing quantities, that its manufacture in India should be encouraged. We already have in India a product to which my Honourable friend, Sir Dinshaw Wacha has referred, namely, *Cocogem*, which some people consider to be very nice and some people not so nice. I myself was entertained once by a friend who was interested in this *Cocogem*, when the whole dinner was cooked in *Cocogem*, and he asked me afterwards if I had noticed anything, and I said " no ", and he told me that it was a very satisfactory certificate of the fact that *Cocogem* was just as good a cooking oil as any other. There is no reason to suppose that my friend, who was a great personal friend of mine, had any desire to give me anything which would be injurious to my health. Looking at it from this point of view—that it is desirable to increase the production of this vegetable oil, *vanaspati*, in India from

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the large range of raw materials that we have—I think the correct course would be—everyone will agree with this I think—not to place a prohibitive duty of 150 per cent., but that the industry concerned should go through the ordinary process that every industry has to go through which desires protection, that is, to make an application for an inquiry by the Tariff Board. Obviously, the Government could not agree offhand to put this very high duty on an import which is admittedly a foodstuff of the poorer class of people.

That disposes of the second issue. The third issue is that it is desirable to prevent cheating, that is, that *vanaspati* is sold as ghee and, as my Honourable friend, Major General Symons has said, it is not ghee at all. It is something quite different from ghee, which is the product of the milk of cows or buffaloes, while *vanaspati* is a product of vegetable oilseeds. From that point of view, the sale of *vanaspati* as ghee appears *prima facie* to amount to a false trade description. If this is to be the real object of the Resolution,—and it appears to be its original object, for although my Honourable friend, Lala Ram Saran Das, has strayed a good deal from the wording of the Resolution, if one interprets it literally—it is clear that he has no objection to the import of *vanaspati* as such, but he only wants it coloured with a harmless colour so that people should know what they are buying. If the Resolution is limited to that issue, I admit at once it has considerable force behind it. We have been given to understand that the administration of Adulteration of Foods Acts has not been effective in the past to prevent *vanaspati* being sold as ghee either alone or mixed with pure ghee. But where I join issue with my Honourable friend is in the remedies that he proposes. In the first place, we object rather strongly to the suggestion of prohibitive duty. If a thing is to be prohibited, it should be prohibited as such on good grounds, and we do not like the idea of camouflaging the prohibition by putting on a prohibitive duty. It only gets us into trouble with other countries, which would say that we are doing something that we have no justification for doing under this cloak. Secondly, it is obviously no use putting this high duty on imported *vanaspati* unless it has this colouring, unless we also make provision that *vanaspati* manufactured in India should be similarly coloured. The practical effect of my Honourable friend's Resolution, if it is adopted, would merely be to transfer from Holland to India the manufacture of this vegetable oil. And however desirable that may be from the industrial point of view, it would clearly defeat the object of the Resolution if a large production of vegetable oil in India is allowed to go out into the market without any distinctive mark and could be sold as ghee as it stood or mixed with ghee. I think my Honourable friend will admit that his Resolution as worded would not effect the object which he himself has in mind.

These objections have been met, however, by a very interesting letter which we have recently received from the Punjab Government arising out of the debate to which my Honourable friend referred, which took place in the Punjab Council last November. The Punjab Government deal with the question entirely from the point of view of cheating,—false trade description,—and they say that they are convinced that cheating on a large scale is being practised and that these products are being sold, mixed or unmixed with natural ghee as natural ghee. They say that their Adulteration of Foods Act has not effected a solution and they conclude by saying that the only effective method of preventing this form of wholesale cheating would be to prohibit the import of such products into, or manufacture within, British India, unless they are coloured in such a way that they could not be mixed with or passed off as natural ghee without immediate detection. That puts my Honourable

friend's Resolution on a practical basis, if I may say so ; and we in the Government of India are prepared to consider further—we intend to consider it quite apart from this Resolution—to consider further this proposal which the Punjab Government has put forward. Clearly it has very far-reaching implications ; it may interfere a good deal with trade and so on. It might, if it is coloured with an offensive colour,—aesthetically offensive,—discourage *vanaspathi* ghee. We might be thrown back again on these very unpleasant substitutes which I described, and the indigenous industry would not be in any way assisted. What we propose to do is to follow our usual practice of consulting Local Governments on the proposal of the Punjab Government, and ask them to consult commercial and trade interests and all others who are interested or concerned in the matter. We shall get their replies in due course, and I hope that meanwhile the Honourable Member will not wish to proceed or push further this Resolution, which, for the reason stated I could not accept, because, in my opinion, it would defeat the Honourable Mover's own object.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I have very carefully and very attentively followed the debate on this Resolution and have listened with considerable interest to the very valuable speeches made on both sides. I feel that the Honourable the Mover of the Resolution was perfectly justified in bringing forward this Resolution pointedly to the notice of the Council, the Government and the general public. The arguments which he has urged and which were also ably supported in Sir Phiroze Sethna's speech are of a very convincing character. At the same time we cannot lose sight of the fact that the views placed on behalf of the Government by Major General Symons as well as Sir Geoffrey Corbett are entitled to our serious consideration. The matter needs a very careful, impartial and immediate investigation, and the investigation ought to be made on certain definite lines. I have great sympathy with the Resolution which has been proposed by the Honourable Lala Ram Saran Das. But I cannot agree with him that it is judicious and even desirable to levy such a heavy import duty of 150 per cent. The imposition of such a duty in my opinion might lead to disastrous results. Some other method may be found out by traders in this country of evading the duty and probably the remedy that may be adopted might be more disastrous than the remedy suggested by my friend Lala Ram Saran Das to prevent the import of vegetable oils. At the same time I think that an inquiry is very appropriate and necessary, and I therefore suggest that the matter should be immediately inquired into by Government either with the aid of the Tariff Board or by the appointment of a Committee. I therefore beg to propose a slight amendment to this Resolution, which I hope the Honourable the Mover of the Resolution will accept. I suggest that for the words " that 150 per cent. *ad valorem* duty be levied " after the word " Council " the following words be substituted, " the desirability of considering the question of levying a duty ". The effect of my amendment will enable Government to start the inquiry immediately and on the other hand it will satisfy the Honourable the Mover who desires that steps should immediately be taken for the purpose of stopping the undesirable adulteration to which he has referred to. The way in which I have worded my amendment—I have substituted the words " the desirability of considering the question of levying a duty "—does not necessarily mean that Government must levy a duty, but the Government will have ample scope and will have an unrestricted hand in devising methods which may satisfy all people and lead to some suitable measure which will not only satisfy the general public but will prevent this undesirable adulteration.

THE HONOURABLE SIR PHIROZE SETHNA : Is the Mover of the amendment aware of the fact that there is a duty of 15 per cent. at present? His amendment would therefore require some change.

THE HONOURABLE SIR MANECKJI DADABHOY : I am thankful to the Honourable Member for pointing this out. I think the word "additional" may be added before the word "duty."

THE HONOURABLE MR. G. A. NATESAN (Madras: Nominated Non-Official): If the Government only considers the desirability of considering the question, they may come to a decision which may not be quite welcome to some of the Members.

THE HONOURABLE SIR MANECKJI DADABHOY : I do not want to tie the hands of Government in any way. I want to leave them ample scope to do what they think proper in the matter. It is undesirable that we should indicate anything definitely at this juncture, and it is for this reason that I want Government to inquire fully and exhaustively into this question.

THE HONOURABLE MR. G. A. NATESAN : Sir, if the object of the Honourable Sir Maneckji Dadabhoy's amendment is to make an inquiry, I cannot understand why he asks Government to consider the desirability of considering the question of levying a duty, and personally I would not be so willing to vote for it on those terms. The discussion that has taken place has presumed that every man in this country is using ghee as an article of food. Those who have had anything to do with the administration of municipal corporations in some shape or other are constantly asked to give attention to this question. Every year during the discussion on the annual report this question of adulteration of ghee comes up. I think most people here have forgotten the fact that this artificial ghee which is being imported is now largely used not only by private people and the poor but in large quantities by restaurants, tea shops where considerable quantities of vegetable oil are used for frying. Now, you have to decide once and for all whether in your opinion and in the opinion of the medical authorities this artificial ghee that is imported is really deleterious to health or not. You must satisfy yourself upon that point. If you are not, I submit you will be going from the frying pan into the fire. I know there are large numbers of young men who visit these restaurants and use the articles fried in the vegetable oils that are imported. I may tell you that I have tried marvo which was recently largely brought in the market in considerable quantities and several friends and I have tried it on big occasions such as marriages. Pure ghee is very costly. Oil at the same time is not good and is not liked by the people and marvo has been found to be a good substitute for either of these for frying. If the object of my Honourable friend Lala Ram Saran Das and my friend Sir Phiroze Sethna is to prevent the import of this adulterated ghee, because it is deleterious I can understand it. In a sense I think they were blowing both hot and cold. If you want to protect the indigenous industry, then the case must be stated on entirely different grounds. It is no use forgetting the fact mentioned in the report from an officer in Madras, which was quoted by my friend Sir Geoffrey Corbett. If you prevent this adulteration of ghee with the imported vegetable oil, the possibilities are that ghee would be adulterated with all sorts of stuff of inferior quality and more deleterious to health. I beg therefore my Honourable friends to consider very carefully what exactly they are asking this House to consider. In any case I for one will not be a party to ask this Council to vote straight away for an *ad valorem* duty of 150 per cent. without knowing exactly what the situation is. I do hope, in view of what has fallen from the Honourable Sir Geoffrey Corbett,

that Government will take up this matter and will institute an inquiry in proper form but will not ask this House to consider the desirability of an *ad valorem* duty. That will make the situation worse.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: I am grateful for the support which the non-official members have given to my Resolution and I am particularly grateful to the Honourable Sir Phiroze Sethna for the active support given. I might for the information of this Council state that my figures have been taken from the same source as those of Sir Phiroze Sethna and I find from the figures that he has given that the import of vegetable compounds this year are 61,175 cwts. of the value of Rs. 26,61,352. If my Honourable friend adds this quantity and this amount to his eight months' total he will find that it exactly agrees with the total I have given.

General Symons in speaking on my Resolution has said that there has been improvement in the adulteration methods and in the substances of adulteration. He said that pure stuff is being adulterated in place of the bad stuff. In that connection I want to say that the admixture of these bad things could be easily distinguished by smell or taste. Owing to hydrogenation it is very difficult to discern the present vegetable compound when adulterated with ghee and there is more chance of cheating the consumers of pure ghee than has been the case hitherto. General Symons also says that the vegetable product is a pure product. I do not quarrel with that. What I say is that this vegetable product has no food value. It will not give one vigour or strength.

THE HONOURABLE SIR GEOFFREY CORBETT: On a point of order, Sir, may I ask whether the Honourable Member is speaking on the amendment?

THE HONOURABLE THE PRESIDENT: I understand he is replying to the Resolution as a whole.

THE HONOURABLE SIR GEOFFREY CORBETT: I presume I shall have an opportunity of speaking on the amendment.

THE HONOURABLE THE PRESIDENT: The Honourable Member will have an opportunity of speaking on it in any case.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: General Symons also said that the appointment of medical analysts will put a stop to adulteration. I fear it will be a very difficult thing to do. In the Punjab, as in other provinces, the vegetable compound is mixed in producing centres. It is mixed with milk when it is being churned, and it is impossible for a layman to find out whether the ghee coming into his hands is pure or adulterated. As I have already said in my opening speech, the employment of medical analysts at every centre of consumption is impossible.

My friend the Honourable Sir Arthur Froom observed that the manufacture of such products will increase in India as a consequence if this Resolution is passed. I would say in reply that in the event of the manufacture of these products being transferred from Holland to India the Government here can easily put on a sort of excise duty or take some other suitable measures to prevent it. The Honourable the Commerce Secretary has also observed that in case vegetable oils are manufactured in this country on a large scale the object which I have in view in this Resolution will be defeated. I agree with him there, but when such a time comes legislation may be passed to the effect that all vegetable oils manufactured in India should also be coloured fast so that they may not be adulterated with ghee.

I am obliged to Sir Dinshaw Wacha, who from his experience in the past has endorsed the principle which I have put forward. He stated that at that

[Lala Ram Saran Das.]

time white ghee used to come from Germany and it was found to be poisonous to a certain extent. In this connection, Sir, I might say that the artificial ghee.....

THE HONOURABLE THE PRESIDENT: The Honourable Member in replying should not try to reinforce arguments used in the course of the debate which supported his Resolution. The opportunity given to him of replying is to enable him to refute the arguments which were addressed against the merits of his Resolution.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: The Honourable the Commerce Secretary dwelt on some other part of the report of Captain Thomas. I have that report before me and I find that the Honourable Sir Geoffrey has not read the whole of the summary but has taken only an extract from it. Captain Thomas says:

"*Vanaspati* cannot be used as a substitute for genuine ghee. It must not be given to infants and lactating mothers."

Captain Thomas has also said that the cat with which he experimented looked as if she was just recovering from a severe fever, and in his opinion would have died had her food not been changed. I have not gone into the full report. I should like my colleagues to look into it in detail and they will find that Captain Thomas is very much against the consumption of this vegetable compound and its adulteration with ghee. Sir Geoffrey also said that this vegetable compound is one of the chief foodstuffs of the poor. But in the interests of the poor I beg to represent to him, how will he protect their health if he allows this foodstuff, artificial ghee, to be used and allows the poor man to be deceived and cheated? I think it will not be in the interests of the public. I would rather prohibit its import altogether if the Government thinks that a measure like this will not be quite effective.

I am glad the Honourable Sir Maneckji Dadabhoy has also supported me to a certain extent. The amendment which he has proposed means that instead of putting on a prohibitive duty all at once he recommends that the imposition of such a duty and such other measures as may be necessary to accomplish my object should be the subject of further consideration. I agree and accept the amendment which he proposes. I think that Sir Geoffrey Corbett will have no objection to accepting that amendment.

THE HONOURABLE SIR GEOFFREY CORBETT: With your permission, Sir, I will first say a few words upon the Honourable Sir Maneckji Dadabhoy's amendment. I am afraid, Sir, that it really does not go very far to help me to accept this Resolution. I am afraid I failed when I spoke before to make my point clear in objecting to the form of the Honourable Lala Ram Saran Das' Resolution. The point is this, that the Resolution recommends that 150 per cent. *ad valorem* duty should be imposed on the import into this country of all artificial ghee which has not got a harmless permanent colouring. The actual amount of the duty really does not affect my objection at all. My objection was this, that if you impose an import duty on uncoloured *vanaspati* and do not impose a corresponding restriction on the manufacture of vegetable products in this country, you merely defeat the object which the Honourable Mover has in mind. He has himself recognised that any import duty on uncoloured *vanaspati* must be accompanied by a corresponding restriction on the manufacture of *vanaspati* in this country. That is clear. And I understand that the meaning of the Resolution, as interpreted by Sir Maneckji Dadabhoy, is that it does not indicate that the inquiry should be limited to this question of duty, or that it should even show a bias in favour of a duty.

Prima facie this is undoubtedly a wrong way of setting about the matter. The Punjab Government have themselves made out a *prima facie* case for inquiry, and that is that it should not be a question of a duty at all, but that it should be a definite prohibition. Either it is a bad thing or it is not. If it is bad, it ought to be stopped altogether and there is no need of a duty of 150 per cent. I object very strongly to prohibitive duties on principle. Our position is this, that we are prepared to address Local Governments on the question of making an inquiry into this proposal of the Punjab Government as to whether an effective method of preventing this form of wholesale cheating would be to prohibit the import of such products into India, or the manufacture in India of such products, unless they are fast coloured. I have no objection to extending the scope of the inquiry by asking them to report generally on what should be done. But I object very strongly to suggesting to them that we have any bias in favour of this proposal of a high import duty or a conditional import duty in preference to prohibition which I think would be the correct thing to do. For this reason I find it impossible to accept the Resolution or the amendment, which, it seems to me, would convey a definite bias that this is a *prima facie* suitable way of dealing with the matter. I cannot see what meaning a Resolution of this House would have unless it is suggested that in the opinion of this House the most suitable way, or at any rate a suitable way, of dealing with this matter was to put on this additional duty. I do not consider it a suitable way at all, and I regret I am quite unable to accept the Resolution or the amendment.

(The Honourable Sir Phiroze Sethna rose).

THE HONOURABLE THE PRESIDENT: Does the Honourable Member wish to make a personal explanation?

THE HONOURABLE SIR PHIROZE SETHNA: I should like to ask the Honourable Member if, in the inquiry he proposes to make of the Provincial Governments, he will also ask whether in the opinion of those Provincial Governments the use of these vegetable oils is injurious to health or not.

THE HONOURABLE SIR GEOFFREY CORBETT: Certainly, I am quite prepared to do that.

THE HONOURABLE THE PRESIDENT: The original question was:

"That the following Resolution be adopted:

'This Council recommends to the Governor General in Council that 150 per cent. *ad valorem* duty be levied on the import into this country of artificial ghee or any other similar vegetable products or compounds which have not been given a harmless permanent, fast colouring excepting yellow shades to distinguish it from pure ghee and to avoid adulteration with it.'

Since which an amendment has been moved—

"That for the words '150 per cent. *ad valorem* duty be levied' the words 'the desirability of considering the question of levying an additional duty' be substituted."

The Council divided:

AYES—14.

Ashthana, The Honourable Mr. Narayan Prasad.

Dadabhoj, The Honourable Sir Maneckji Desika Chari, The Honourable Mr. P. C.

Khaparde, The Honourable Mr. G. S. Manmohandas Ramji, The Honourable Sir.

Mehr Shah, The Honourable Nawab Sahibzada Saiyad Mohamad.

Muhammad Hussain, The Honourable Mian Ali Baksh.

Ram Saran Das, The Honourable Rai Bahadur Lala.

Rampal Singh, The Honourable Raja Sir.

Sankaran Nair, The Honourable Sir. Sethna, The Honourable Sir Phiroze. Singh, The Honourable Raja Sir Harnam.

Suhrawardy, The Honourable Mr. M. Umar Hayat Khan, The Honourable Colonel Nawab Sir.

NOES—21.

Akram Husain Bahadur, The Honourable Prince A. M. M.
 Burdon, The Honourable Mr. E.
 Commander-in-Chief, His Excellency the.
 Corbett, The Honourable Sir Geoffrey Das, The Honourable Mr. S. R.
 De, The Honourable Mr. K. C.
 Froom, The Honourable Sir Arthur. Gray, The Honourable Mr. W. A.
 Habibullah, The Honourable Khan Bahadur Sir Muhammad.
 Haig, The Honourable Mr. H. G.

Hatch, The Honourable Mr. G. W.
 Latifi, The Honourable Mr. A.
 McWatters, The Honourable Mr. A. C.
 Misra, The Honourable Rai Bahadur Pandit Shyam Bihari.
 Natesan, The Honourable Mr. G. A.
 Stow, The Honourable Mr. A. M.
 Symons, The Honourable Major-General T. H.
 Vernon, The Honourable Mr. H. A. B.
 Wacha, The Honourable Sir Dinshaw.
 Watson, The Honourable Mr. C. C.
 Weston, The Honourable Mr. D.

The motion was negatived.

THE HONOURABLE THE PRESIDENT : The question is :

“ That the original Resolution be adopted.

The Council divided :

AYES—12.

Ashthana, The Honourable Mr. Narayan Prasad.
 Desika Chari, The Honourable Mr. P. C.
 Khaparde, The Honourable Mr. G. S.
 Manmohandas Ramji, The Honourable Sir.
 Mehr Shah, The Honourable Nawab Sahibzada Saiyad Mohamad.
 Muhammad Hussain, The Honourable Mian Ali Baksh.

Ram Saran Das, The Honourable Rai Bahadur Lala.
 Rampal Singh, The Honourable Raja Sir.
 Sankaran Nair, The Honourable Sir.
 Sethna, The Honourable Sir Phiroze:
 Suhrawardy, The Honourable Mr. M.
 Umar Hayat Khan, The Honourable Colonel Nawab Sir.

NOES—21.

Akram Husain Bahadur, The Honourable Prince A. M. M.
 Burdon, The Honourable Mr. E.
 Commander-in-Chief, His Excellency the.
 Corbett, The Honourable Sir Geoffrey. Das, The Honourable Mr. S. R.
 De, The Honourable Mr. K. C.
 Froom, The Honourable Sir Arthur. Gray, The Honourable Mr. W. A.
 Habibullah, The Honourable Khan Bahadur Sir Muhammad.
 Haig, The Honourable Mr. H. G.

Hatch, The Honourable Mr. G. W.
 Latifi, The Honourable Mr. A.
 McWatters, The Honourable Mr. A. C.
 Misra, The Honourable Rai Bahadur Pandit Shyam Bihari.
 Natesan, The Honourable Mr. G. A.
 Stow, The Honourable Mr. A. M.
 Symons, The Honourable Major-General T. H.
 Vernon, The Honourable Mr. H. A. B.
 Wacha, The Honourable Sir Dinshaw.
 Watson, The Honourable Mr. C. C.
 Weston, The Honourable Mr. D.

The motion was negatived.

RESOLUTION *RE* PUBLICATION OF THE CORRESPONDENCE ON THE SUBJECT OF THE STATUTORY COMMISSION.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muhamadan) : Sir, I beg to move :

“ That this Council recommends to the Governor General in Council that the correspondence that has passed between Government and the Secretary of State for India on the subject of the Statutory Commission under the Government of India Act should be published for information of the Indian Legislature and the general public.”

I am asking Government to lay on the table the correspondence that has passed between them and the Home Government on the all-important subject of the Statutory Commission.

I am not using the language of hyperbole when I say that this is the most absorbing question of the hour in India to-day. I do not wish on this motion to speak on the grave wrong and injustice done to India by the exclusion of Indians from the Commission, as it is not germane to the purpose of my Resolution. The correspondence that must have passed between Government and the present Secretary of State on the subject of the Commission cannot fail to be of absorbing interest, and naturally we are anxious to know the attitude of the Government of India in this important matter. From the speeches made in the Houses of Parliament on the motion to constitute the Commission, it is clear that the question of the appointment of the Commission and of its composition has engaged the attention of the Secretary of State and of Government for some years past and the decision was not arrived at in a hurry. Lord Birkenhead has told us that it has engaged his earnest thought ever since he undertook the responsibilities of his high office. I would quote his exact words to the House. His Lordship said :

"The correspondence which has taken place between myself and two successive Viceroys with whom I have been associated on this subject, would certainly fill several volumes. I claim that with the advantage of advice in the earlier years, of my noble friend Lord Reading, and later years, of Lord Irwin, that this whole matter has been most carefully considered, that every alternative for the proposal which I put forward has been examined, and sincere attempts have been made to appraise the advantages and disadvantages of each course which has been recommended and pressed upon me."

It is clear therefore that voluminous and highly important correspondence has passed between Lord Birkenhead on the one hand and Lord Reading and Lord Irwin on the other. We cannot guess what is the exact nature of this correspondence, and whether it has passed under the eyes of all the members of the Executive Government. This House will remember that a former Secretary of State, no less than that great Liberal Statesman, Lord Morley, initiated the system of having a sort of private correspondence with the Viceroy on every important and interesting Indian question. We knew much later that the Members of Lord Minto's Executive Council were ignorant of the exchange of ideas and thoughts that passed between Lord Morley and Lord Minto. We do not know whether Lord Birkenhead has been imitating the illustrious Radical literary statesman and following the same system, and whether the members of the Executive Council have had any opportunity of seeing the correspondence and expressing their own views on the proposals that may have formed the subject-matter of the discussion. When we think of the whole matter we feel impelled to make one observation. The methods of secrecy which Government adopt in matters of such great moment are to be deeply deprecated, and indeed they generally result in undesirable consequences. So well was the secret kept in the present case that the decision to appoint the Commission in 1927 came to most people as a great surprise. After the decision had been taken and was about to be announced, His Excellency the Viceroy took it upon himself to interest several leading representatives of the people

1 P.M. in the question and to get them to see eye to eye with him in the decision arrived at.

This was like shutting the stable door after the horse had bolted. I cannot help thinking that it would have been much better if some care had been taken to take the leaders of the people into confidence and to ascertain their views and feelings before the scheme and other alternative proposals had been actually considered and before the final decision was taken. In the

[Sir Phiroze Sethna]

multitude of counsellors there is wisdom. Perhaps in that case, it would have been possible to evolve a scheme which would not have resulted in the exclusion of Indians from the Commission and aroused such bitter opposition as has been manifested and which would prove acceptable to us in India and to the authorities at Home.

I am reminded in this connection of what was done by Lord Chelmsford when he took up the question of constitutional reform in 1916. The House is aware that the present dyarchical constitution is really an elaboration of a scheme first formulated by the Round Table group in London in a Memorandum, known as the Duke Memorandum. In that memorandum, the principle of dyarchy was, for the first time, enunciated and a concrete scheme based on it was formulated. Lord Chelmsford, who was in sympathy with the Round Table school of politics, asked for the memorandum when he was appointed Viceroy of India and he circulated copies of that memorandum to Local Governments and invited their opinions thereon. But so profoundly had the secret been kept that no Indian leader had been taken into their confidence, and nobody knew of it until many years later when Mr. Lionel Curtis disclosed the whole affair in his book on Dyarchy. Evidently in the matter of constitutional reform, the old methods still hold sway. One only hopes that there is no repetition of the incident of the Duke Memorandum on the present occasion.

Sir, the Indian Legislature has a right to know what views were expressed, and what proposals made, by the Government of India with regard to this important matter. In the first place, we wish to know what attitude they took in the matter of appointing Indians on the Commission. We should know whether the idea of excluding Indians emanated from them or from the Secretary of State. I am aware that the Government of India is responsible to the British Government and not to the Indian people. That is, no doubt, the constitutional position, considered strictly. But the historic announcement made on 20th August 1917 by the Secretary of State on behalf of the Coalition Government which was representative of all parties, and on behalf of the British Government and which embodies a new policy to which Great Britain has solemnly pledged herself, makes the Government of India a co-sharer with the British Government in the responsibility for the welfare and advancement of the Indian people and for judging the time and measure of each advance. The exact words of the declaration are :

“ The British Government and the Government of India, on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance.”

Thus the responsibility for the welfare and advancement of the Indian people, and for determining the time and measure of her advance towards responsible government is not an exclusive responsibility of the British Government, but a joint responsibility of that Government and the Government of India. It follows from this constitutional position that whatever may be the ultimate decision of Parliament and the British Government on any important matter affecting the welfare and advancement of the Indian people and their political progress, it is the duty of the Indian Government, the more so as there is a fair Indian element in that Government, to press the Indian point of view, to voice the feelings, the wishes, the aspirations and the demands of the Indian people. The Government of India must stand up for the Indian people, and urge their view point and claims as strongly as possible. This is the new duty cast upon the Government of India by the character and implications of

the reformed constitution under which they and this Council are functioning. The Government of India must, no doubt, loyally accept the final decision of the British Government. But the consciousness that the ultimate decision rests, not with them, but with the British Government, ought not to deter them from placing themselves in the position of the Indian people and pressing their point of view, which we trust they have done. We want to know, therefore, in what manner and to what extent this responsibility has been discharged by them in this matter of the Statutory Commission. We want to know what view the Government of India took of the clause in the Government of India Act governing the appointment of the Commission, whether they accepted the position that under that clause the Commission must be a Parliamentary Commission. The Government of India are fortunate in having for their Law Member a distinguished member of the profession, and we should like to know what view the Honourable Mr. Das expressed on this point. We also want to know whether or not the Government of India urged the appointment of Indians on the Commission, and whether they were ruled out by that master mind, Lord Birkenhead. We want to know whether or not they anticipated the present situation, and urged that the exclusion of Indians from the Commission would lead to a very large measure of opposition to it. We want to know also what views they have expressed on the constitution of the Committees of the various Legislatures, their functions, powers, status, etc. We want to know what remedies, if any, they have suggested for removing the tension which we know does exist. All these things we have a right to know, and we wish to know. Therefore, I urge that the correspondence referred to in the Resolution should be laid on the table. Secrecy in a matter like this may breed suspicion, it may give rise to the feeling that the Government of India have not properly represented the Indian point of view and asserted themselves with sufficient strength and persuasiveness as against the able and forceful Secretary of State for India. I hope, for all these reasons, the Government will accede to the proposal contained in my Resolution.

THE HONOURABLE MR. H. G. HAIG : (Home Secretary) : Sir, my Honourable friend Sir Phiroze Sethna has confined his speech strictly to the limited point that the Government of India should publish certain correspondence. He has not been tempted to diverge into the wide field of discussion as to the merits of the scheme of the Statutory Commission which commended itself to His Majesty's Government, and I propose to follow his example. There have, of course, been great differences of opinion about the scheme which His Majesty's Government adopted. One contention on the Government side has been that much of the opposition was based on certain misunderstandings.

It is not my intention to say anything about the statement which has just been issued by the Chairman of the Indian Statutory Commission, except that it clearly calls for the most careful examination by those who have hitherto been opposed to what they conceived to be the scheme. In those circumstances I feel sure that it would be the desire of every one in this Council to review the position calmly and dispassionately and not to be hurried into any precipitate declaration. For that reason, Sir, I hope that the debate this morning will be confined to the particular point that has been raised by my Honourable friend Sir Phiroze Sethna. Coming, Sir, to this point I recognize that my Honourable friend has enlisted on his side one of the universal instincts of human nature. He has enumerated a large number of points on which he wants to know. Well, Sir, we all desire to know the contents of a sealed book. We are:

[Mr. H. G. Haig.]

all inclined to suppose that whatever is not disclosed is something very remarkable or at least interesting, and though experience does not always bear out this idea we still go on believing and hoping. Against that instinct Governments have always sought to protect themselves. They have, not only in this country but I think everywhere, recognized that it is necessary that the processes—as a general practice I mean—by which Government arrive at their conclusions and the materials on which they work should ordinarily not be disclosed. They entrench themselves behind regulations such as the Government Servants' Conduct Rules and so on, and it is a well-recognized practice that it is only on special occasions and for special reasons that Government discloses anything in the nature of confidential correspondence. I think, Sir, that my Honourable friend will recognize the reasonableness of this position. He is himself a business man. I do not think he would consider it reasonable if it were suggested to him that the processes by which he reached his business conclusions should be revealed to his business friends or possibly his business rivals. And I think, Sir, he should concede a similar privilege to Government. It is true that there are occasions when the Government think that it is in the public interest that a certain correspondence should be published. It may be that they wish to promote discussion of some point which is still under consideration. That is clearly not the case here. It may be that having reached particular decisions they find that the most convenient way of presenting their reasons to the public is to publish certain documents. That again, Sir, is not the case here. The reasons for the decisions at which the Government have arrived have already been explained in the fullest detail. His Excellency the Viceroy took the unusual course of stating those reasons in a very full statement which was published on the 8th November. The reasons have been stated also in the fullest way in Parliament by the Secretary of State, by the Under Secretary of State and by the Prime Minister. It is clear that nothing further would be gained in the way of elucidating the position by acceding to my friend's request. He may reply that what he wishes to know is not so much the reasons which have led His Majesty's Government to come to this particular conclusion, but whether the Government of India were consulted, and, if so, what their opinion was. Well, Sir, I am sure that Honourable Members of this Council will recognize that that raises at once the question of the relations between the Government of India and the Secretary of State and will realize that that is a question which the Government of India are not in a position to discuss. That is settled practice. My friend may say that in certain cases it might be unembarrassing to give an answer on such points, but I should like to point out that when in a matter of this sort Government are not in position to discuss the relations between themselves and the Secretary of State they cannot pick and choose, they cannot on one occasion give an answer because they think it will not be embarrassing and on another occasion decline to give an answer because they think it will be embarrassing. They can adopt only one rule and that is to decline to give an answer on any occasion, and that, Sir, is the answer I must return to my Honourable friend's Resolution.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : Nominated Non-Official) : Sir, I would like to add just one word to the speech which the Honourable the Home Secretary has made. We are now passing through a most critical and anxious time in the history of India. The destiny of India will very largely depend on the attitude which her sons take on this occasion and the united opinion and support they extend to Government at this most critical time. Any differences between the various political parties

in the country at this critical time would be extremely deplorable, and I should have thought that after what His Excellency the Viceroy stated on the 2nd of this month, when he made an appeal to all of us to avoid all that may magnify our differences, I fully expected my Honourable friend Sir Phiroze Sethna not to have proceeded with this Resolution. This is not the occasion for it. We men of different parties are sincerely endeavouring amongst ourselves to come to some proper and satisfactory understanding. We want to sink our political differences on this occasion, and I feel very strongly that a Resolution of this kind, even if Government supplied the information that my Honourable friend wants, would probably multiply our differences and would not result in any profitable conclusion and settlement. I think, Sir, that it is an occasion on which we should avoid, as far as possible, all questions of differences and all aggressive actions. It will not do any useful service to the country even if the whole of the correspondence that passed between the Government of India and His Majesty's Government is laid on the table and supplied for our perusal,—aye, it will probably make our differences more acute, our quarrels more poignant, and we shall not possibly be able to reconcile the conflicting differences. I appeal to every Member in this Council, I appeal to every Indian fellow-subject of mine to exercise forbearance and restraint and do his best to come to some understanding with our opponents who after all are our friends and countrymen with whom to-day unfortunately we are at variance, and that is in my opinion the only solution of the great problem that lies before us; that is in my opinion the only path of sanity on our part to proceed on, that is, we should reconcile all our differences and every-one of us should endeavour to do his best on this occasion to try and meet his opponent and come to such understanding as would lead to the advancement and progress of our motherland.

THE HONOURABLE MR. G. A. NATESAN (Madras : Nominated Non-Official) : Sir, I think the procedure which has been adopted by my Honourable friend, Sir Phiroze Sethna, is quite a Parliamentary procedure, such as would be adopted in England and elsewhere. At a time of public feeling and excitement such as the present it is but proper that the Honourable Member should seek to ask Government to place on the table the correspondence that has passed between His Majesty's Government and the Government of India. I quite admit that it is certainly the right of the Home Secretary who represents the Government to say that he cannot publish the correspondence. The simple question is whether in the present situation the tension that prevails will be eased by the publication of the correspondence. That is the only issue, and we ought not to confuse it with others purely of our own imagination. Sir, it has happened in the history of this Government that on many occasions when the Government of India and the people have felt alike and have given expression to their views without a dissentient voice, without making it appear that there were any differences of opinion, the Government of India's hands have been strengthened by the public opinion that has expressed itself, and that as this question of the method and the manner in which the Statutory Commission has been appointed, which has undoubtedly aroused indignation in the minds of many, it would certainly be to the interests of Government that the Government of India should publish the correspondence, unless they are prevented by any grave confidential reasons from publishing it. The Indian public would wish to know, at any rate so far as the Government of India are concerned, whether they were consulted, what exactly were the terms on which they were consulted, and if they did give their opinion, what exactly was the nature of the opinion. It is quite possible that the details of it may not be made available to the public or at least in the Council, but at any

[Mr. G. A. Natesan.]

rate the Council is entitled to ask for it, and if the situation warrants some inkling, some idea being given of what the Government of India felt in this matter and also of the views of the individual members of the Government of India, I undoubtedly think it would go a great way to lessen the tension that has been created. That is the simple issue my Honourable friend Sir Phiroze Sethna raises in asking that the correspondence be laid on the table, and I am sure that is his only object. The Home Secretary is quite within his rights to say, "I cannot answer the question", but I do not think any other Member here has a right to import other considerations and to discuss, on the merits or otherwise, a question which the Resolution does not attempt to discuss. If it were in the power of the Government of India to publish, if not the entire correspondence, at any rate as much of it as has passed between His Majesty's Government and the Government of India indicating exactly what has been the views of individual members, I feel certain that the publication of that might go a great way to lessen the tension that has been caused.

THE HONOURABLE SIR PHIROZE SETHNA: Sir, the Honourable Mr. Haig has chosen to confine himself, as I did, just to the main point of my Resolution. In my reply, which will be brief, I will endeavour to do likewise. Mr. Haig has observed that I might have been prompted by the ordinary human instinct of curiosity, perhaps idle curiosity. That, Sir, is certainly not so. I have explained that I want to know, and the world wants to know, how far the Government of India have discharged the responsibility that has been laid on their shoulders ever since the declaration of the 20th August 1917. We want to know whether they put up a fight for India or that Lord Birkenhead had his own way right through as is not unlikely, knowing what a forceful personality he is. My Honourable friend appealed to me as a business man and asked if I would reveal the processes through which I may have arrived at a particular result and if I would hesitate to reveal them, how could I expect Government to do so. My reply is that if I have followed certain processes for the purpose of bringing about a certain result, and if there was no necessity for me to go through those processes again for a similar result in the future, then I should have no objection whatsoever to revealing those processes. The Government have finished with the appointment of the Statutory Commission. It is a settled fact according to them. Then where is the hesitation in revealing the processes through which they arrived at the decision they have come to? What we want to know, I repeat, is the part played by the Government of India. My Honourable friend, Sir Maneckji Dadabhoy, says that the placing of that correspondence on the table would multiply existing differences.

THE HONOURABLE SIR MANECKJI DADABHOY: I said "might", not "would".

THE HONOURABLE SIR PHIROZE SETHNA: I agree with my Honourable friend, Mr. Natesan, who said that on the contrary it will smooth matters. The Honourable Sir Maneckji Dadabhoy says that the differences will be more acute. If the Government of India have played their part, as the country has a right to expect, they have then I say that there will be no difficulty but on the contrary the people will uphold and support the Government of India. If they do not disclose this correspondence, it gives colour to the belief that the Government of India have not done what we have a right to expect them to do and for that reason alone they are withholding this correspondence. Sir, I have asked what part the Members of the Executive Council played in these discussions. I would also like to know what was the part played by the members of the India Council. If the story is correct, at any rate the three Indian

members were never consulted and the whole thing came upon them in the same way, as a surprise, as it came upon the general public or they only got to know two or three days earlier. That is the courtesy with which the present Secretary of State treats his colleagues, at any rate his Indian colleagues on the India Council. I will not delay the House. I know that any proposition that is brought forward in this Council because of its present constitution, will meet with the fate, not that which it deserves but which Government desire, and until the constitution is changed, it will continue the same. I would appeal, however, to Government. If they want to test the feeling of the public and of the representatives of the public, to leave the elected Members only to vote on this question, I challenge the Honourable Government Member to do so, for, if he agrees, he will know that the elected Members will vote in favour of the Resolution and it will be carried.

THE HONOURABLE MR. H. G. HAIG: Sir, I understand that the last proposition made by my Honourable friend is that the question whether certain documents should be published by Government should be left to the decision of the non-official members. I think I only have to state this proposition to make Honourable Members realise that it is quite impossible of acceptance.

THE HONOURABLE THE PRESIDENT: The question is :

“That the following Resolution be adopted :

‘This Council recommends to the Governor General in Council that the correspondence that has passed between Government and the present Secretary of State for India on the subject of the Statutory Commission under the Government of India Act should be published for information of the Indian Legislature and the general public.’”

The Council divided :

AYES—9.

Asthana, The Honourable Mr.
Narayan Prasad.
Desika Chari, The Honourable Mr.
P. C.
Khaparde, The Honourable Mr. G. S.
Manmohandas Ramji, The Honourable
Sir.

Natesan, The Honourable Mr. G. A.
Ram Saran Das, The Honourable Rai
Bahadur Lala.
Sankaran Nair, The Honourable Sir.
Sethna, The Honourable Sir Phiroze.
Suhrawardy, The Honourable Mr. M.

NOES—21.

Akram Hussain, Bahadur, The Honour-
able Prince A. M. M.
Burdon, The Honourable Mr. E.
Commander-in-Chief, His Excellency
the.
Corbett, The Honourable Sir Geoffrey.
Dadabhoj, The Honourable Sir
Maneckji.
De, The Honourable Mr. K. C.
Froom, The Honourable Sir Arthur.
Gray, The Honourable Mr. W. A.
Habibullah, The Honourable Khan
Bahadur Sir Muhammad.
Haig, The Honourable Mr. H. G.

Hatch, The Honourable Mr. G. W.
Latif, The Honourable Mr. A.
McWatters, The Honourable Mr. A. C.
Misra, The Honourable Rai Bahadur
Pandit Shyam Bihari.
Stow, The Honourable Mr. A. M.
Symons, The Honourable Major-
General T. H.
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.

The motion was negatived. .

The Council then adjourned till Eleven of the Clock on Thursday, the 9th February, 1928.