

22nd February, 1923

**THE
LEGISLATIVE ASSEMBLY DEBATES**

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THIRD SESSION

OF THE

LEGISLATIVE ASSEMBLY, 1923.



**SIMLA
GOVERNMENT CENTRAL PRESS
1923.**

Legislative Assembly.

The President :

THE HONOURABLE SIR FREDERICK WHYTE, KT.

Deputy President :

SIR JAMSETJEE JEEJEEBHAY, BART., K.C.S.I., M.L.A.

Panel of Chairmen :

RAO BAHADUR TIRUVENKATA RANGACHARIAR, M.L.A.

MAULVI ABUL KASEM, M.L.A.

SIR CAMPBELL RHODES, KT., C.B.E., M.L.A.

SARDAR BAHADUR GAJJAN SINGH, M.L.A.

Secretary :

SIR HENRY MONCRIEFF SMITH, KT., C.I.E., M.L.A., I.C.S.

Assistants of the Secretary :

MR. W. T. M. WRIGHT, I.C.S.

MR. L. GRAHAM, I.C.S.

MR. S. C. GUPTA, BAR.-AT-LAW.

MR. G. H. SPENCE, I.C.S.

Marshal :

CAPTAIN SURAJ SINGH, BAHADUR, I.O.M.

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LEGISLATIVE ASSEMBLY.

Thursday, 22nd February, 1923.

The Assembly met in the Assembly Chamber at Eleven of the Clock. Mr. President was in the Chair.

QUESTIONS AND ANSWERS.

METEOROLOGICAL SERVICE.

389. ***Mr. K. C. Neogy**: Will the Government be pleased to state—

- (i) whether the Indian Meteorological Service has been, or is proposed to be, reorganised?
- (ii) how many new appointments in the Service have been, or are proposed to be, created?
- (iii) how many of these new posts have been filled?

Mr. J. Hullah: (i) Yes, to the extent that a regular time scale has been introduced for officers recruited since 1921 and for future recruits, and that one new appointment has been created to provide a leave and training reserve.

(ii) Only the one new appointment referred to above has been created.

(iii) This appointment has been filled.

QUALIFICATIONS FOR METEOROLOGICAL SERVICE.

390. ***Mr. K. C. Neogy**: Will the Government be pleased to state what are the qualifications for a post in the Indian Meteorological Service?

Mr. J. Hullah: There are no prescribed or standard qualifications but high attainments in Physics and Mathematics are required.

PAPERS ON METEOROLOGICAL SUBJECTS.

391. ***Mr. K. C. Neogy**: (a) How many original papers on the conditions of the Indian Upper Air have hitherto been published by the members of the Indian Meteorological Service?

(b) Does the number of Upper Air observations compare favourably with similar data from the European countries, and have they been published?

Mr. J. Hullah: (a) Six original papers have been published on upper-air conditions, two are in the Press, and five more are nearly complete for the Press. One paper, also, on upper-air conditions in Mesopotamia has been published.

(b) Having regard to the size and interests of the country the reply is "No" but in relation to financial resources, "Yes". The question of publication is answered under (a).

NAMES AND QUALIFICATIONS OF METEOROLOGICAL STAFF.

392. ***Mr. K. C. Neogy**: Will the Government be pleased to state—

- (a) the name,
- (b) the academic and other qualifications,
- (c) previous experience in modern Meteorology of each of the persons appointed to the Indian Meteorological Service since Dr. G. C. Simpson, late of the Indian Meteorological Service, left the service of Government?
- (d) whether these persons have had any European training?

Mr. J. Hullah: I lay on the table a statement giving the names, qualifications and previous experience of the four officers appointed. Two of the four have previous experience of modern meteorological research; a third after receiving a Government of India Scholarship from the Allahabad University, was a research student at Cambridge in England.

Name.	Academic and other qualifications.	Previous experience in modern Meteorology.
1. G. Chatterjee	M.Sc. and a Research Scholar; has exceptional qualifications in experimental Physics.	Held a temporary post of Scientific Assistant at the Agra Aerological Observatory for about a year.
2. S. K. Banerji	M.Sc. in Applied Mathematics and D. Sc. of Calcutta; was Professor in the University College of Science, Calcutta.	Research work in Tidal Theory and Hydrodynamics, Seismology and Aerial Movements.
3. Y. V. Sohoni	B.A., B.Sc. and a Research student in the Wilson College, Bombay.
4. B. N. Banerji	M. Sc., held a Government of India Scholarship from the Allahabad University.	Research student, Cavendish Laboratory, Cambridge.

MR. S. N. SEN AND METEOROLOGICAL SERVICE.

393. ***Mr. K. C. Neogy**: (a) Has the attention of Government been drawn to a Reuter's cable dated London, January 29, stating that the University of London have conferred the degree of M.Sc. on Mr. S. N. Sen, who is the only Indian Officer in the Meteorological Office, South Kensington, and that the degree is in recognition of his researches in connection with the upper air?

(b) Is it a fact that the said Mr. S. N. Sen applied for an appointment in the Indian Meteorological Service? If so, with what result?

Mr. J. Hullah: (a) Yes.

(b) Yes. The application was considered along with others but the appointment was offered to and accepted by another Indian Candidate.

EXTRA ASSISTANT COMMISSIONERS AS INCOME-TAX OFFICERS.

394. ***Rai Bahadur D. C. Barua**: (a) Whether it is a fact that Extra Assistant Commissioners in Assam did Income-Tax work as Income-Tax Officers last year?

(b) If so, did they get any allowance on that account?

(c) Is it likely that they will do the same in 1923 as well?

(d) Whether in Assam Government has considered the possibility of managing the Income-Tax Department, without making new appointments, with Extra Assistant Commissioners who will be given an allowance for the additional work and by making only two appointments for the two valleys, of Assistant Commissioners of Income-Tax?

The Honourable Sir Basil Blckett: The income-tax work in Assam has, hitherto, been done by the Provincial revenue staff with the exception of one Sub-Deputy Collector who is on special income-tax work. No allowance has been given to the revenue staff on account of any income-tax work done by them.

It is proposed to make an assignment to the Assam Government for the income-tax work in Assam and it is understood that the Assam Government will appoint one Deputy Collector to be trained in income-tax work and to do the more important assessments in the province. Further additions to any special income-tax staff will be made by the local Government at their discretion and paid for out of the assignment. It is proposed to review this arrangement after a period of three years.

RENT OF GOVERNMENT OFFICIALS.

395. ***Mr. W. M. Hussanally:** With reference to answers to questions Nos. 260 and 272 will the Government please state—

(a) What is the percentage of rent on their salaries paid by Senior Officers drawing more than Rs. 1,999 per month?

(b) Why are officers drawing up to Rs. 1,349 paying more than those above them?

(c) What percentage of salary is paid as rent by employes drawing less than Rs. 900 a month?

Colonel Sir Sydney Crookshank: (a) In the case of officers drawing more than Rs. 1,999 a month, the percentage of rent in respect of buildings on the minimum salary of each class of official works out to:—

Class.	Minimum salary.	Percentage of rent on salary.
	Rs.	Rs.
A	4,000	7.05
B	2,750	8.22
C	2,000	9.10

(b) Officers drawing up to Rs. 1,349 are not paying more than those above them.

(c) The percentage of salary paid as rent in respect of buildings by employees drawing less than Rs. 900 a month works out to 10 per cent. on the minimum salary of each class.

2. I may explain for the Honourable Member's information that the method of assessment of rent and percentages adopted for purposes of calculating rent are the same for all classes. The maximum rent, excluding rent in respect of special services and furniture, which may, under the Fundamental Rules, be recovered from a Government servant occupying a Government residence, is, however, limited to 10 per cent. of the salary of the

occupant. The percentage of rent on salary must vary, for the reason that as the salary of the prospective tenant decreases it becomes increasingly difficult to provide a building the rent of which, assessed in accordance with the rules, will work out to less than 10 per cent. of salary.

“ POOLED ” RENTS AT RAISINA..

396. ***Mr. W. M. Hussanally**: Do pooled rates of rent for Raisina bungalows cover:

- (i) The interest charges of capital borrowed;
- (ii) The maintenance charges of houses, electric installation, water works, construction and maintenance of roads and road lighting;
- (iii) Drainage and maintenance thereof;
- (iv) Any other services;
- (v) Cost of furniture and repairs;
- (vi) Estate offices including superintendence;
- (vii) Horticultural and Arboricultural Departments?

Colonel Sir Sydney Crookshank: (i) to (v) Yes, except that furniture is charged for separately.

It is assumed that the charges referred to under (ii) relate only to installations, etc., within the boundaries of each residence.

(vi) and (vii) No.

GARDENS AT RAISINA.

397. ***Mr. W. M. Hussanally**: Is it a fact that the gardens and green plots attached to bungalows and quarters occupied at Raisina are maintained at State expense?

Colonel Sir Sydney Crookshank: Compounds are laid out, that is to say, shrubs, trees and grass are planted and maintained until properly established. The question of maintenance after establishment is now under consideration.

PROFIT OR LOSS ON RAISINA RENTS.

398. ***Mr. W. M. Hussanally**: Do the rents recovered for bungalows at Raisina leave any margin of profit? Or do they leave a net loss? If the latter, how much?

Colonel Sir Sydney Crookshank: Rents are calculated on an annual basis on which Government neither gains nor loses. In practice, however, full recovery of rent is not always possible because:

- (a) a house may not be occupied throughout the year,
- (b) ordinarily more than 10 per cent. of the occupant's pay cannot be recovered as rent.

The loss incurred thereby varies according to the circumstances, and no exact figure can, therefore, be given showing what the net loss is per month or for any other given period.

RENTS AT RAISINA AND SIMLA.

399. ***Mr. W. M. Hussanally**: How do rents paid for Government bungalows in Raisina and at Simla compare with rents in the city and Civil lines?

Colonel Sir Sydney Crookshank: As it is not possible to give a verbal reply which will clearly show how rents at Raisina compare with those in Simla, Delhi City and Civil Lines, I have had a statement prepared which is laid on the table which gives a comparison as far as possible for officers drawing over Rs. 1,350 per month. Similar information for lower paid officers, clerks, and menials cannot be prepared, as it is not possible to compare in any fair manner the accommodation and the conditions in one place with those in another.

Classification of officers.	AVERAGE MONTHLY RENTS OF HOUSES.				Delhi City.
	Raisina.	Simla.	CIVIL LINES, DELHI.		
			Paid to landlords by Government.	Recovered from tenants.	
1	2	3	4 (a)	4 (b)	5
Class A— Pay Rs. 4,000—5,000	Rs. 282	Rs. 219	Rs. 227	Rs. 282	No information available.
Class B— Pay Rs. 2,750—3,999	226	205	278	226	
Class C— Pay Rs. 2,000—2,749	182	108	260	182	
Class D— Pay Rs. 1,350—1,999	135	123	144	135	

Note.—It is not possible for various reasons to carry the comparison below class D.

Note.—The figures given in both the columns above are average figures. The rents paid by Government to landlords shown in column 4 (a) depend very largely on the date on which the lease was entered into. Bungalows leased a few years ago were obtained on much more favourable terms than those which are now being leased. As it will be unfair to charge occupants in each case the same rent as is paid to the landlord, rents have been pooled and tenants are charged the figures shown in column 4 (b). These are arrived at after taking into consideration (1) the total sum that is paid to landlords, and (2) the accommodation afforded by different classes of bungalows.

ELECTRICITY RATES AT RAISINA.

400. ***Mr. W. M. Hussanally**: Is it a fact that the rates for electric energy consumed in Raisina from Government installation is only a small fraction of the rates charged by the Electric Company in the city? If so, what are the comparative rates?

Colonel Sir Sydney Crookshank: The rate charged by the Electric Company in the City is 8 annas a unit of current for lights and fans less 10 per cent. discount for payment within 7 days. The rates charged by Government for electricity supplied from their installation are 3 annas a unit to Government servants and 6 annas a unit to others. The Government's installation is, however, run primarily for constructional purposes.

SUPPLY OF GOVERNMENT FURNITURE.

401. ***Mr. W. M. Hussanally:** Why has Government undertaken upon itself to supply furniture in Government bungalows? Could that be not done by private firms?

Colonel Sir Sydney Crookshank: For the convenience of Government officials and the Members of the Indian Legislature who are short term tenants. Not without causing considerable hardship and discomfort to tenants.

LEASE OF BUNGALOWS IN CIVIL LINES, DELHI.

402. ***Mr. W. M. Hussanally:** (a) Is it a fact that Government have leased some bungalows in Civil lines and rented them to its officers at rates lower than they pay for them?

(b) If so, (i) how many are they, (ii) what do Government pay for them, (iii) what do Government recover upon them, (iv) to what officers are they rented?

Colonel Sir Sydney Crookshank: A limited number of bungalows in the Civil lines have been leased by Government to provide accommodation for certain officers whose duties require their residence in Old Delhi. These bungalows have been classified according to the accommodation they afford, into the same categories adopted in the case of the bungalows in New Delhi, and the rents have been assimilated also, class for class. In the aggregate the monthly rents charged by Government cover the amount paid to the landlords together with maintenance expenses, and Government incurs no loss on these houses during the period they are occupied.

INCOME OF DELHI MUNICIPALITY.

403. ***Mr. W. M. Hussanally:** (a) With reference to answer to my question No. 273, what is the income of the Imperial New Delhi Municipality from all sources? What is the amount of the grant made by the Government or the Chief Commissioner?

(b) What are the names of the members of the Committee?

(c) Do residents of Raisina pay any wheel, or animal tax, or motor wheel tax?

(d) Is there any arrangement with the Delhi City Municipality whereby they should contribute to the funds of the Imperial Municipal Committee in lieu of octroi and other taxes collected by them directly or indirectly from residents of Raisina?

The Honourable Sir Basil Blackett: (a) The total estimated income of the Imperial Delhi Municipality, for 1922-23, is Rs. 15,795 and the amount of the Government grant Rs. 13,770.

(b) The names of the members of the Committee are—

MR. A. M. ROUSE, C.I.E.,

President.

MR. H. T. KEELING, C.S.I.,

MR. J. L. SALE,

MAJOR STANGER LEATHES, I.M.S.,

Health Officer and Secretary.

} *Members.*

The answers to parts (c) and (d) of the question are in the negative.

HOUSING OF MEMBERS AT METCALFE HOUSE AND WINDSOR PLACE.

404. ***Mr. W. M. Hussanally:** With reference to answer to my question No. 276, is it a fact that because there was not sufficient accommodation for Members of the Council of State at Metcalfe House, they were given preference in regard to quarters at Windsor Place, although these latter quarters were not sufficient to accommodate all Members of the Assembly who had applied for them? Is that so? If it is, why? Why did they not share in the ballot and why were such of them as did not draw in the ballot, not accommodated in the Hostels?

Sir Henry Moncrieff Smith: The quarters at Windsor Place are intended for Members of both Houses and on the basis of the number of Indian Members in both Houses it was roughly estimated that Members of the Council of State were entitled to 6 out of the 20 quarters there. Six Members were therefore allotted six quarters without a ballot; the remainder were accommodated in the hostels and elsewhere.

TREATMENT BY CANTONMENT MAGISTRATE, AMBALA, OF A PLEADER.

405. ***Mr. W. M. Hussanally:** (a) With reference to answer to my question No. 278, is the Cantonment Magistrate at Ambala a military officer and as such subordinate to the Army Department?

(b) Do the Government propose to make an enquiry to ascertain the true facts of the case?

(c) Do Government propose to take any action to prevent a repetition of such lapses?

Mr. E. Burdon: (a) The Cantonment Magistrate is a military officer in civil employ. In his purely magisterial capacity he is subordinate to the Local Government, not to the Government of India.

(b) No.

(c) The Government of India have no doubt that the Local Government will take suitable action in the matter.

ALLEGATIONS OF CORRUPTION AGAINST CANTONMENT SUBORDINATES, AMBALA.

406. ***Mr. W. M. Hussanally:** With reference to answer to my question No. 279:

(a) Did the Cantonment Committee assign any reasons for not paying the expenses of the proposed lawyer member?

(b) Will the Government enquire from the local military authorities if it is a fact that the All-India Cantonment Association offered to pay such expenses? And if so, why was not the matter reported to the Government of India for orders?

(c) Is it a fact that the demand for the co-option of a lawyer member, proceeded from the Cantonment Association and was acceded to by Government?

(d) If so, was it left to the option of the investigating officer to have the lawyer member associated with him? If so, why?

(e) Was the Association consulted before the idea of co-option was dropped?

Mr. E. Burdon: (a) No.

(b) and (c) The inquiry is unnecessary. The matter came before the Government on the representation of the local military authorities, and the Government were prepared to agree to the appointment and to bear the cost of it themselves.

(d) Yes, the reason being that the investigating officer was in the best position to judge whether legal assistance was necessary or not.

(e) The Government of India have no information on the point.

PURCHASE OF MOTOR CARS BY SLOUGH SYNDICATE.

407. ***Captain E. V. Sassoon:** 1. Is the Government aware that the Slough Syndicate (India) has bought a number of motor cars and lorries that were surplus to Government requirements in Iraq?

2. Is it a fact that these motor vehicles are being imported into India and that the import duty being paid on them is based on an all round valuation covering good, bad and indifferent vehicles?

3. If so, will the Government be good enough to state on what basis was this valuation made?

Mr. A. H. Ley: The facts are as follows. The Slough Trading Company, Limited, purchased the whole of the surplus mechanical transport from the Disposals and Liquidation Commission in Mesopotamia. All this material was little more than scrap; but the Government of India were faced with two difficulties in the matter of finding a satisfactory method of assessment under the ordinary tariff. In the first place, it was impossible to determine whether any particular item was assessable as scrap or otherwise until sale had taken place, and secondly it was not possible to ascertain the real value for the purpose of assessment, as there was no regular market rate to go upon and the material was to be sold for what it was worth. It was therefore decided to assess all scrap vehicles imported into India by the Company at the rate leviable on commercial vehicles, on an all round valuation of £15 per deadweight ton, provided that they were covered by certificates from the Deputy Commissioner of Disposals, Mesopotamia, to the effect that they were surplus mechanical transport, and provided also that the Collector of Customs at the port of import was satisfied that they were scrap vehicles. This valuation was fixed on the basis of the information available as to the actual value of the articles in question, as ascertained by the Disposals Commissioner after taking into consideration the results of previous sales of such material.

COUNCIL BILLS.

Mr. Jamnadas Dwarkadas: Sir, have I your permission to put a question to the Honourable the Finance Member of which I have given him private notice? The question is this: Has the amount of Council Bills offered for tender last week and this been reduced from Rs. 75 lakhs to Rs. 50 lakhs? If so, what is the principle underlying these fluctuations in the application of the policy of the sale of Council Bills by Government?

The Honourable Sir Basil Blackett: The answer to the first part of the question is yes. The principle underlying the fixing of the amount of

Council Bills put up for tender each week is that an endeavour is made to follow the course of the market and to put up such an amount as is likely to be sold at satisfactory rates.

Mr. Jamnadas Dwarkadas: One more supplementary question. Why should the business of remitting money to London not be done in India by the Government of India,—why should the Secretary of State and the Bank of England do the business, as they do at present?

The Honourable Sir Basil Blackett: I think the obvious reason is that it has always been done so; on the spur of the moment I have not any other reason to give.

Mr. Jamnadas Dwarkadas: One more supplementary question. Does the Honourable the Finance Member think that that is a good reason that it has been done so? Could he not do the business better himself in India instead of it being done for him in London?

Mr. President: That is a matter of debate, not for question and answer.

UNSTARRED QUESTION AND ANSWER.

N.-W. RAILWAY—EXTENSION OF SERVICES AFTER 55 YEARS OF AGE.

195. **Lieut.-Colonel H. A. J. Gidney:** (a) Will Government be pleased to say whether Government servants employed on the North-Western Railway, who have attained the age of fifty-five years and are given annual extensions of service up to the age of sixty, are compelled in the last year of service to retire at the close of the official year, *i.e.*, on 31st March, although they may not attain the age of sixty until a later date in the year?

(b) If the reply is in the affirmative, is it a fact that only such Government servants as are born in the first three months of the year enjoy full pay and emoluments throughout the last year of their service? Will Government therefore be pleased to state why those who are born in the remaining nine months of the year are not allowed to enjoy a similar privilege?

Mr. C. D. M. Hindley: (a) Extensions of service beyond the age of 55 years are the exception rather than the rule; but when such extensions are granted it has been found to be of administrative convenience to grant them by periods not exceeding one year from the beginning of each official year, so long as it is still desired to retain the services of the employee concerned. The first extension of service is accordingly granted for the period intervening between the 55th birthday of the employee and the 31st March following. An extension for any period beyond the age of 55 carries no pledge that extensions until the age of 60 is reached will automatically follow, nor even that any further extensions will be granted; but so long as it is desired to retain the services of an employee the extensions usually terminate at the end of the official year.

(b) The period of extensions of service is determined by the desire of the administration to retain the services of the employee, and not with reference to his date of birth. •

STATEMENT OF BUSINESS.

Dr. H. S. Gour (Nagpur Division: Non-Muhammadan): May I ask the Honourable the Home Member to make a statement in the course of the day as to the state of business during the next few days?

The Honourable Sir Malcolm Hailey (Home Member): I hope to make a statement immediately after the luncheon interval.

REPORT OF COMMITTEE ON ARMS ACT RULES.

Mr. T. V. Seshagiri Ayyar (Madras: Nominated Non-Official): May I ask the Leader of the House to make a statement regarding the rules under the Arms Act?

The Honourable Sir Malcolm Hailey (Home Member): I stated in answer to a question a few days ago that I hoped shortly to be able to make a statement regarding the manner in which Government proposed to treat the Report of the Committee which discussed the rules under the Arms Act. It will be realized of course that the administration of these rules lies with Local Governments, and they are, naturally, closely concerned in the detailed manner in which we give effect to the Report. But subject to consulting Local Governments, the Government of India see no reason why the main recommendations of the Committee should not be given effect to. As I say, we shall discuss with Local Governments certain questions of detail, but we hope, in the main, to give effect to the chief recommendations of the Committee.

Dr. H. S. Gour: (Nagpur Division: Non-Muhammadan Rural): May I, Sir, in this connection point out that there is a strong feeling in this House that Members of the Assembly and of the Council of State might be exempted for life, as were their predecessors, the Members of the Imperial Legislative Council?

The Honourable Sir Malcolm Hailey: We shall take note of that fact.

Mr. J. Chaudhuri (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Is it not a fact that Members of the Local Councils and of the Imperial Council were formerly exempt before the Arms Act Rules came into operation? I was one of the persons exempted, and now I have to take out a license.

The Honourable Sir Malcolm Hailey: The Honourable Member may be assured that if Members of the Local Councils feel deeply on the subject, they will not fail to let us know. I recall to his recollection the fact that the Members of the Committee thought that it was unnecessary to make special provision for Members of the local Legislatures.

Mr. J. Chaudhuri: But they were exempted as a matter of fact. I can say that from personal knowledge.

N.-W. FRONTIER COMMITTEE'S REPORT.

Dr. Nand Lal: May I ask the Honourable the Home Member as to when the Report of the North-West Frontier Committee will be published?

Mr. President: Has the Honourable Member given him notice of that question?

DISCUSSION OF RESOLUTIONS RAISING THE SAME QUESTION.

Khan Bahadur Sarfaraz Hussain Khan (Tirhut Division : Muhammadan) : Before the Resolution is moved, I rise to a point of order. I refer, Sir, to section 121 of the Manual of Business which says that when a Resolution has been moved, no Resolution or amendment raising substantially the same question shall be moved within one year. What I wish to know, Sir, is whether the Resolution to be moved now is not, in substance, the same Resolution as was moved in Simla regarding the Provincial Contributions. This Resolution runs :

"This Assembly recommends to the Governor General in Council that steps be taken immediately to set apart some revenues for the purpose of wiping out all contributions from the Provinces in the course of six years."

The question therefore is whether this Resolution is not in substance the same. If, and if so, why should it be allowed to be moved.

Mr. B. S. Kamat (Bombay Central Division : Non-Muhammadan Rural) : Sir, I wish to supplement the remarks of the last speaker and raise the same point of order regarding the admissibility of this Resolution with reference to provincial contributions. Under Standing Order 70, sub-clause (1) I wish to know whether a Member can raise substantially the same question within 12 months. The House will remember that in September last we dealt with the question of provincial contributions. The point at issue then was that a sum of two crores of rupees should be reduced from the provincial contributions. The point underlying this Resolution is that the provincial contributions should be wiped out within a certain time, that is to say the question we discussed in September related to a reduction of two crores while the question we are to discuss now relates to a reduction of 9 crores and 83 lakhs. I contend that practically it is the same question and I ask, Sir, whether my contention is correct and whether this Resolution is admissible for discussion?

Mr. President : When the Resolution came before me originally for admission I considered the question carefully. In view of the fact that it invites the Governor General in Council to approach the subject by the raising of new taxation it appeared to me to be reasonable to allow the Resolution to be moved; and therefore I called upon Mr. Reddi to move the Resolution standing in Mr. Zahid Ali Subzposh's name.

Mr. B. S. Kamat : One more point, Sir, and that is as to whether my Honourable friend, Mr. Reddi, has got from Mr. Subzposh his authority in writing as required by Standing Order 61?

Mr. President : I think the Honourable Member might have assumed that I had taken care that he did get that.

RESOLUTION *RE* HYPOTHECATION OF REVENUES.

EXEMPTION OF PROVINCIAL CONTRIBUTIONS FOR SIX YEARS.

Mr. Jamnadas Dwarkadas (Bombay City : Non-Muhammadan Urban) : Before, Sir, you call upon Mr. Reddi to move the Resolution that stands here in the name of Mr. Subzposh, I wonder if it is open to me at this stage to move that this debate be postponed till after the Budget has been presented?

Mr. President : It is obvious that the Honourable gentleman cannot move to postpone a debate which has not yet begun.

Dr. H. S. Gour: (Nagpur Division: Non-Muhammadan): Sir, I beg to inquire whether this Resolution implies that there should be any addition to the Imperial taxation for the purpose of wiping out all contributions. The Resolution as it is worded merely says that a portion of the revenues be set apart for the wiping out of contributions, if possible under the existing revenue. If the ruling, Sir, that you have given relating to this Resolution implies the raising of additional taxation, I understand that it will be open to Members to raise points with reference to additional taxation for the purpose of meeting the provincial contributions and the contributions now levied from them.

Mr. President: The Resolution asks the Imperial Government to forfeit a large sum in revenue, and I assume that the underlying meaning of it is that the Imperial Government is held to be better able to raise the revenue to meet the lacuna created by the remission of provincial contributions than the provinces are.

Mr. M. K. Reddi (South Arcot *cum* Chingleput: Non-Muhammadan Rural): I move, Sir:

"That this Assembly recommends to the Governor General in Council that steps be taken immediately to set apart some revenue for the purpose of wiping out all contribution from the Provinces in the course of six years."

Sir, it is with a due sense of responsibility and with a full knowledge of the extent and scope of the subject that I rise to move this Resolution which stands in the name of my Honourable friend, Mr. Zahid Ali Subzposh.

One of the most pressing problems of the day is the problem of finance, both in the Central and Provincial Legislatures; and while critics are not wanting who will belittle the scope of the reforms or the achievements of these Councils, few have bestowed any serious thought on the causes leading to such poor results, or the remedies which ought to be adopted. It is one of the sorest trials of the Provincial Legislatures, that while they practise retrenchment and economy to the fullest extent and even vote fresh taxation, thus bearing the opprobrium and the misrepresentation and calumny of their electorate, those who are not responsible in the full sense of the term, have the right to appropriate to themselves the hard-earned savings of these Provincial Governments. The Provincial Legislatures feel that while they are called upon to cater to the ravenous appetite of the Central Government, they have not the privilege of applying suitable remedies to this diseased appetite, to effect retrenchment and economise expenditure; and with a knowledge of something of the inner working of the administrative machinery of their own Government they not unnaturally feel that unless the Government is directly responsible and responsive to the people, ideas of true economy and real retrenchment are not likely to materialise. They feel that if the Central Government had to bear the odium of fresh taxation and the responsibility of finding ways and means for additional expenditure, instead of the present method of sponging on a few unhappy and unimportant Provinces, then the angle of vision would change and a more sober aspect of the question would present itself. Then would Members not stand aghast or raise the whites of their eyes in holy horror when any whisper of a curtailment in the Military expenditure was given utterance to; then would they not be shocked at the height of ingratitude when any remark is made about the high salaries of the Imperial Services; then would they not be depressed

with a sense of impending calamity when any demand were made for a speedier process of the Indianisation of the Services with a view to retrenchment.

I am aware, Sir, that there is a Retrenchment Committee at work whose report we all await with anxious care. It may not be possible to effect retrenchment to the extent to which we would like it in a single year. Retrenchment also can be carried out progressively; and naturally the Government of India are not likely to let go their hold on the Provinces as long as an easy way of filling their coffers is open to them. It is for that very reason I suggest that the Provincial Contributions should be wiped out and that it should be done at least in the course of six years with their growing revenue.

Sir, I would earnestly appeal to the Government to face facts as they are. It would be more in the fitness of things that they should face the music and brave the unpalatable features resulting from the abolition of these contributions than let the Provinces rankle with a sense of injustice, breeding bitterness and just resentment against the Central Legislature. The revolt of the Provinces, if such should occur as the result of this blind policy, will be a graver danger for national solidarity and national welfare than a measure of this description. Sir, filial ingratitude was not reserved to King Lear's daughters alone. The mutual jealousies, the not unreasonable suspicions and the introduction of a Provincial caste system are really graver dangers which responsible legislators should take into more serious consideration than the narrow selfish view at times exhibited by this House.

Sir, in my own presidency, for the last year the agitation regarding what has been termed the "impost" has been growing in pace and even Honourable Members of this Council situated as they are, so far from Madras, must have had an idea both as regards its volume and its intensity. I do not wish to refer to the decisions of this House on previous occasions, but I trust I shall not be altogether out of order if I were to refer to the petitions which I had the honour to present to this Assembly signed by thousands of voters of my Presidency, requesting this Government and this House to alleviate the hardship that is created by the levy of a large sum from provincial revenues by the Central Government. On that debate I don't want to offer any criticism at present. Sir, this Resolution raises a very important and a general question. As I understand it, it means an obligation on the Government of India to reduce the provincial contributions and in course of time—6 years—to altogether wipe them out. The method by which this should be done is one more in the cognizance of an administrative body like the Government of India than of a non-official Member of this Council. It is therefore not as an exhaustive method nor as the best method under the circumstances that the suggestion in this Resolution is conveyed to set apart some revenues for the purpose. It is more important to my mind that it should be distinctly understood that these contributions should be wiped out gradually and in any case should not exist after six years. Sir, we are all aware of the award of Lord Meston and we are also aware how several of the presidencies protested against that award. We are in this very happy, or rather unhappy, position that the modification of the award of Lord Meston by the devolution rules has made our position much worse. If I were to refer for a moment to the devolution rules you would see, Sir, that whereas under the Meston award the contributions for 1923 ought to have been less than in 1921, under the devolution rules the contribution

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continued to be the same. I should like to emphasise that this was a situation which was not at all contemplated by the Joint Committee. It was not to make the position worse that the Joint Committee intervened, but rather, as I understand from a reading of that Report, to make our position surely better. But we are now in the position of those frogs in the fable that protested against the award of Jupiter for sending them the King Log.

I trust I shall be pardoned if I were to quote from the Committee's Report:

"The proposals made by Lord Meston's Committee and embodied in these rules have met with a varied reception. They are endorsed by the Government of India, and some Local Governments are content with the contributions proposed for them, while others dislike the ultimate standards; but certain provinces, particularly the three presidencies, are dissatisfied with the treatment of their own claims, and the Government of Bombay contest not only the amount of their contribution but also the allocation of the heads of revenue on which the whole scheme is based. The Committee see no reason to differ from the fundamental features of the proposals, and they are definitely opposed to provincialising taxation of income.....The Committee would be glad, on grounds of policy, to alleviate the disappointment caused by the restraints, which the system of contribution lays on the employment by the provinces of their revenues. The Committee are of opinion that in no case should the initial contribution payable by any province be increased, but that the gradual reduction of the aggregate contribution should be the sole means of attaining the theoretical standards recommended by the Financial Relations Committee. The acceptance of this latter proposal emphasises the intention that the contribution from the provinces to the Central Government should cease at the earliest possible moment. The Committee attach great importance to the fulfilment of this intention and they are convinced that the opposition, which the proposals of the Financial Relations Committee have evoked, would be much diminished if it becomes possible for the Government of India to take steps to ensure the abolition of the contributions within a reasonably short period. They trust that the Government of India and the Secretary of State in Council will, in regard to their financial policy, make it their constant endeavour to render the Central Government independent of provincial assistance at the earliest possible date."

Sir, this is a very clear statement of the intention of the Joint Committee. It was not to prejudice provinces like mine, to make their position worse than what it was under the Meston Award, to keep on the heavy contributions that they have been called to make in the first instance, that that award was modified. The Joint Committee repeatedly say that the alleviation should be by means of wiping out this contribution altogether and they emphasise more than once that this should be done as soon as possible, at the earliest date, and so forth. The next paragraph of the Joint Committee's Report simply says that the Committee desire to add their recognition of the difficulties of Bengal and commend for the consideration of the Government of India that difficulty. The Government of India has been ready enough to recognise this. I do not desire to say anything of the relief granted to that fortunate province; but I should like to point out that the primary consideration of the Joint Committee was to wipe the contribution altogether and that only a casual mention is made of Bengal's difficulties. But yet the Government of India was ready to come to the relief of Bengal.

Now, I ask, Sir, what it has done to respect the wishes of the Joint Committee with regard to the early part of its Report? Two years have now passed since the Reforms have been instituted and three years since the Report of the Joint Committee. What has the Government of India done to carry out the intentions of the Joint Committee? Repeatedly, in the

course of that Report they implore the Government to so adjust their finances as to reduce the contributions and wipe them out at the earliest possible stage. When is that earliest stage to come? Has the Government of India any idea of it? Has the Finance Member bestowed any thought on the problem or are we to say that the Government of India is so involved that these questions cannot arise. We know that unless the Government of India, just like any other debtor, is forced to pay up a certain debt, it will be in the complacent attitude of keeping the debt alive as long as possible. That is what we don't want to happen. We want to force the Government to take up these questions seriously and in earnest and we want the Government to wipe out this contribution at the earliest stage possible. The Joint Committee emphasises that for the very successful working of the Reforms this contribution must go. I therefore plead in the interests of provinces which have suffered seriously in the past, that there must be a determined effort made by the Central Government to wipe the contributions out. I therefore heartily commend the Resolution to this House and trust that from the coming financial year some amount at least will be reduced from the contribution of over 9 crores and that within the next 6 years a progressive rate of reduction will find the entire contribution wiped out.

Sir, I move the Resolution.

Sir Gordon Fraser (Madras: European): Sir, I rise to support this Resolution. It would take a very much better speaker than I am to convey adequately to this House the very strong feelings of indignation and resentment in Madras against the very heavy financial burden imposed on Madras. These feelings of injustice are not peculiar to any particular class. They are shared alike by all communities from the highest to the lowest, officials and non-officials, Hindus, Muhammadans and Europeans. It is not a racial question; it is not a party question. It is a question on which all in Madras joined forces. What particularly intensifies the feeling of resentment in Madras is the fact that the main cause leading up to the heavy burden imposed on Madras is the strict economy exercised by the Madras Government in the past,—economy extending over many years. When referring to the United Provinces and the Madras Governments, the Meston Committee Report states:

“Economy has been strictly practised and considerable arrears of administrative progress are now due.”

Well, Sir, I think that that is a very mild statement of the case. The administrative progress is not now due; it is many years overdue. Unfortunately, the economy and the high local taxation of the Madras Government during past years has now resulted in the fact that one-third of the whole of the total contributions payable to the Central Government is called for and demanded from Madras, instead of the standard of 17 per cent. laid down by the Meston Committee as a fair and equitable share to be paid by Madras towards making up the deficit of the Central Government. Sir, this injustice to Madras is not a new one; it is a very old one; it goes back many years; it is not due to Reforms at all. The present arrangement simply perpetuates an old injustice. I have not a record of the many protests that have been put up by Madras, but I would like to refer to two protests that were made by the Madras Chamber of Commerce. The protests really were put up by the constituency which I represent and they were voiced by the Madras Chamber of Commerce. The

[Sir Gordon Fraser.]

first of these was on the occasion—it was as far back as 1900—of the visit of the Right Honourable Lord Curzon, the then Viceroy, to Madras. The words used on that occasion by the Madras Chamber of Commerce with slight modifications to meet the present changes apply equally well to the position as it is to-day.

The words were :

“The Chamber would beg to be allowed to represent to Your Excellency the urgent need for readjustment of these contracts and for a more liberal treatment being extended to this Presidency as regards the proportion of revenue which it is allowed to retain for provincial or local expenditure. The people of the Presidency cheerfully recognise that it is incumbent upon them to contribute their full quota to Imperial expenditure, but the Chamber would respectfully represent that a very strong and general feeling exists throughout the Presidency that this quota is at present unduly high, and that in consequence of this the progress and prosperity of the Presidency are to a serious extent checked through lack of funds to be expended upon local works of great public importance, and in some cases of urgent necessity.”

This fact was recognised in the Financial Relations Committee as I have just shown.

Then again the next protest was 20 years later. The words used in the next protest were practically the same as those used 20 years before. No change had taken place in the meantime and the words of the second protest apply equally well to-day. The extract is a short one and I will just read it :

“The contribution paid by the Madras Presidency is out of all proportion to the contributions of other Presidencies and the Provinces, and the Chamber trusts that Your Excellency’s Government will take early action to remove what we regard as a serious injustice to this Presidency.”

You will see, Sir, that the Chamber of Commerce, over the past 20 odd years, has protested against this injustice. The House, Sir, will realise it is not a new complaint. It is an old complaint reiterated by Madras, and it is not as though the inequalities of which we complain were not admitted. They were admitted in the Financial Relations Committee. I will read the extract I refer to :

“We anticipate that the Government of India will construct its financial policy towards reducing these contributions with reasonable rapidity and their ultimate cessation.”

The next extract is :

“The scheme of contribution that we recommend above complies, we believe, with the essential conditions that any immediate dislocation in Provincial budgets must be avoided, and that the admitted inequalities of the proportions in which, in the past, the Provinces have contributed to the purse of the Government of India must be rectified within a reasonable time.”

I contend, Sir, that these extracts fully justify the position taken up, not only by the Government of Madras or the representatives of Madras, but by the people of Madras. Then, Sir, I would point out to the House that unfortunately this question of the provincial contributions has certainly led to a serious loss of confidence between the Central Government and the Provincial Governments. The only way to restore confidence between the Central Government and the Provincial Governments and to restore harmony between the various provinces is for the Government of India

to lay down immediately a definite policy and to give the Provinces a definite assurance that steps will be taken at the earliest date possible to bring the provincial contributions down to the standard fixed by the Meston Committee. And, Sir, to do this, it goes without saying, that the Government of India must first balance its own budget. But it also must go further and it must take steps to provide funds at least to make an immediate start towards the reduction of these contributions. If we refer to the Report of the Financial Relations Committee, we find that the words used in the recommendation to the Government of India are: "reducing these contributions with reasonable rapidity." It is not a case of reasonable time. They go further and use the extreme word "rapidity." We all know, Sir, that the Honourable Finance Minister does not exactly repose upon a bed of roses at present. He has a very thorny and difficult time before him, and I think he has the sympathy of all Honourable Members of this House, and speaking for Madras I hope that all representatives from my Province will lend him their very hearty support in any steps that he finds it necessary to take to enable him to overcome those difficulties and balance his receipts and expenditure. He has a very difficult job in front of him and we all recognise it. Sir, in pressing for this Resolution, I want the House to quite realise that we from Madras do not come to this House begging for favours in this case. We come to this House asking for a just demand that has been pressed by Madras for more than 20 years to be acceded to.

I would like to refer to one point in the recent discussion on the fiscal question the other day. It has a slight bearing on the matter before us, or rather I should say it has an important bearing on it. The Resolution passed was recommending that a law should be passed for the protection of Indian industries. Now, Sir, the Indian industries exist almost entirely in Bombay and Bengal, particularly the latter Province, where they have the benefit of the coal-fields. Madras on the other hand and several other Provinces are essentially agricultural. The Honourable Member for Commerce and Industry in introducing the amendment to the Resolution the other day, referred to this point. His remarks were to the effect that the cost of production in India must therefore be high following protection, which means that the measure of protection would not be small and must increase the level of prices for consumers generally, and particularly for the middle classes and agriculturists. Also he said he was sure that if the agriculturists, who form the bulk of the population, could understand the implication of the policy of protection, and if they were able fully to bring their influence to bear on this Assembly, he doubted whether his motion would be accepted. He also added that the agriculturists had the least to gain and the most to lose by a policy of protection. Well, Sir, this means that Madras and the other agricultural Provinces, those Provinces essentially agricultural, will again be called upon to pay the piper without having the option of calling the tune. May I suggest, Sir, that any extra revenue accruing from these duties, duties protecting industries of particular Provinces and enriching those Provinces but paid for by the poorer agricultural Provinces, may I suggest that any revenue accruing should be earmarked if possible—it is impossible perhaps to earmark Imperial receipts, but I ask that the Government of India should bear the position in mind, and that these extra receipts should be utilised for the reduction of the contributions from the various Provinces until such contributions reached the standard which the Financial Relations Committee thought was fair for all the Provinces concerned.

Mr. P.-B. Haigh (Bombay: Nominated Official): Sir, the matter that the House is about to debate this morning has formed the subject of long and bitter controversy. It was only in the last Session at Simla that a Resolution of a very similar nature was moved in which the whole question of the relations between the provinces and the Central Government in financial matters was raised, and the representatives of various provinces put forward their own views with a good deal of heat and in some cases almost acrimony. And now, Sir, we have another Resolution before the House of a very much the same nature. But, Sir, I propose to try, if possible, to keep clear of inter-provincial recriminations and to confine what I have to say to the actual Resolution on the paper. I fear the two Honourable Members who have already spoken have gone a little too far beyond the Resolution. If I may say so, there has been some danger of their trailing the Madras coat in front of the industrial provinces. Well, Sir, I do not propose to be drawn. It is true, Sir, that we in Bombay have our own position just as Members from Madras have their position. We do not pretend to be content with the present state of things; we have never accepted it and we do not accept it now. We do not think it is fair that we should be deprived for ever of any share in the one important expanding source of revenue that might be at our disposal. We think, Sir, that if a province is to have true provincial autonomy, it ought to have access to all its real assets, and we, in Bombay, consider that the enterprise and resource of our citizens is just as much a provincial asset as the produce of our fields. It is a temptation, Sir, to be drawn into a discussion on the arguments that were put forward by the Honourable the Home Member, who was then Finance Member, in the debate in Simla. He has had the last word and it is a temptation to answer him, to reply to, I cannot say the arguments but to the atmosphere he created. But I do not propose, Sir, to go into that question now. An occasion will arise when we shall press our views again on the Government of India, but I do not think that that general question properly arises out of the Resolution on the paper.

Now, Sir, I would ask Honourable Members to examine that Resolution very carefully. It reads:

"This Assembly recommends to the Governor General in Council that steps be taken immediately to set apart some revenues for the purpose of wiping out all contributions from the Provinces in the course of six years."

The Honourable Member who moved the Resolution was delightfully vague. He did not explain what revenues were going to be set apart or, if revenues were set apart, what was to take their place. I take it, Sir, that the only thing that the Resolution can mean is that the Government of India is to begin at once, when it is framing its Budget, to put down as the first item to be provided a sum of so many crores for remitting contributions from the provinces. The period given is six years, the amount is more than 9 crores, but we will take it as 9 crores. We see, therefore, that the Government of India is asked to begin at once to set apart, say one and a half crores of rupees this year, three the next, $4\frac{1}{2}$ the next, and so on. That means, of course, either that the Government of India is to increase its deficit by one and a half crores or to impose additional taxation, and with that taxation is to make good the amount remitted to the provinces who are contributing.

Now, Sir, I have no doubt that every Member of this House has engraven on his mind the figures contained in the Devolution Rules and

particularly those in paragraph 18. Now Rule 18 contains what is generally referred to as the ideal contributions expressed in terms of ninetieths. In paragraph 17 we find the actual figures of contributions that are being paid at the present moment. Well, I have worked out those actual contributions that are now being paid. I have worked them out in terms of ninetieths and some of the provinces are paying more ninetieths than their ideal contributions; other are not. Now Rule 18 says:

“When for any year the Governor General in Council determines as the total amount of the contribution a smaller sum than that payable for the preceding year, a reduction shall be made in the contributions of those Local Governments only whose last previous annual contribution exceeds the proportion specified, and any reduction so made shall be proportionate to such excess.”

Well, if you examine the figures, you will find that the provinces which would be benefited by the first remission of contributions would be Madras, the United Provinces and the Punjab, and, to a smaller extent and a long way behind, the Central Provinces. The other provinces would not be benefited by any initial remission. Now, Sir, I submit that when the Resolution is looked at in that light, it becomes alarmingly like the Resolution to remit two crores of provincial contributions, which this House rejected last September. That is the real meaning of the Resolution. Instead of calling it two crores this time, it has provided for a period of six years; but it

12 Noon. practically means the same thing. At all events, says the Honourable Mover, let us make a beginning; let us get at least $1\frac{1}{2}$ crores, if we cannot get 2 crores. And Honourable Members who do not belong to those fortunate provinces which are going to get the remission under this scheme during the first or second year, those Honourable Members will doubtless bear that fact in mind when the Resolution is put to the vote.

Well, Sir, now why should the House reject this motion? In the first place, it is entirely inopportune. How do we stand at present? We are just on the eve of the Budget announcement. This is not an ordinary budget. We have been passing through a period of great financial stress. An immense effort is being made by enlisting the assistance of the greatest experts we can find—an immense effort is being made to improve our position, and we have in charge of the portfolio a new Finance Member. In a few days we shall hear the result of those investigations and the Honourable the Finance Member will let us know what he is intending to do. And this is the moment that the Honourable Member from Madras selects to come and ask the House to pass a Resolution about the financial policy of the Government of India for the next six years. Well, I submit, Sir, he could not have chosen a more inopportune moment. The Honourable Member might at least have waited until the Budget was over. Is it fair, Sir, to the Honourable the Finance Member to expect him to disclose the arrangements that he is about to make? For all we know, Sir, his actual decision may not have been taken up to the last moment; the matter might still be in debate. It is not fair when the burden of reducing the Budget in these difficult circumstances is imposed on the Honourable the Finance Member that the House should hustle and try to extract some hint from him of what he is going to do before he is actually prepared to tell us what it is.

Leaving aside the question of fairness, I ask the House if they think they are going to draw the Honourable the Finance Member. The Finance Member, Sir, if I may say so, is up to the present somewhat of a dark horse. We have heard him speak on more than one occasion somewhat

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cryptically. Speaking for myself personally, the chief impression I have obtained from his speeches is that he has pursued researches into the debates which took place in the Græco-Roman world on the nature of the Trinity. That is the matter that impressed me most in the last speech made by the Honourable the Finance Member and I do not think the House is going to get anything much out of him. In vain, Sir, is the net spread in the sight of any bird; and when the net is so clumsy and the bird so wary as the Finance Member, I do not think I see him walking into it.

However, leaving aside these considerations—leaving aside the question of fairness, leaving aside the question of whether we are likely to draw him—is the proposition possible or feasible at this moment? Last year we had an enormous deficit. There is no getting away from it. That is the fact that governs the whole position. There was an enormous deficit; and we are asking the Finance Member after he has cut down expenditure in all directions to the minimum, after imposing additional taxation to meet the deficit we are asking him on top of that to provide still more taxation in order to assist certain of the Provinces. Can such a proposition be entertained for a moment? Are the Honourable Members who support this Resolution prepared to vote for that additional taxation, unless they are sure it is not going to fall on them? I seem to remember that not long ago there was a proposal to impose a salt tax, a tax which fell equally on everyone in India. Did Honourable Members from Madras support that salt tax? Sir, I fancy that the Honourable Members who are supporting this motion have a shrewd idea that if taxation is to be imposed somebody else is going to pay. Sir, I would ask this House to approach this question as it stands on the paper in a severely practical spirit. We are not here to discuss from top to bottom the financial relations of the Provinces with the Central Government. We are not here to encourage disputes between Provinces. We are asked to make a definite recommendation to Government that they should take a particular course. We are asked to make that recommendation at a time which is inopportune, and to recommend a course that we know is not practical. Now, I submit, Sir, that the House should not allow its time to be wasted by debating Resolutions of that character, and that it should without delay throw out this inopportune, this futile and this impracticable Resolution. Sir, I trust the House will immediately reject the motion.

Mr. K. Muppil Nayyar (West Coast and Nilgiris: Non-Muhammadan Rural): Mr. President, much has already been said, in the past on this subject. What we really want is some material result. Certainly, we are on no begging mission. How long can the present injustice last? How long are the hungry provinces with watery mouths to allow what is largely and legitimately theirs to let slip through their hands into other mouths? Can the present starvation of the Provinces continue without disastrous effects? Speaking last year in this Assembly the Honourable Sir Malcolm Hailey said, "We, my colleagues on Lord Reading's Government, have stood, are standing and will continue to stand for the steady progress of Reforms . . ." But how can the reforms progress and succeed if we leave the Provinces, especially the transferred subjects in them, without sufficient funds? Can my Honourable friend, the Finance Member, fresh from just and democratic England, be hard-hearted enough to choke the voice of those thousands, who signed that monster petition—please don't mistake this one for one of those not uncommon bunkums in some dingy pigeon hole in

the Government of India Secretariat? Lastly, I give a warning that if some happy change in the present system is not urgently introduced we will be driving all our sane newspapers in the Provinces stark mad. I am whole-heartedly for the Resolution.

Mr. B. S. Kamat (Bombay Central Division: Non-Muhammadan Rural): Sir, I had expected the Honourable Mover of this Resolution, who, I see, is only the godfather of this Resolution to have dilated upon the methods as to how to set aside certain revenues for wiping out these contributions. I confess, Sir, his speech has totally disappointed me inasmuch as he has not furnished concrete proposals of how he expects us to vote in favour of setting aside revenues. He leaves the whole of that question and the solution of that question to the Government of India. A man who comes before this House with certain proposals ought to give us concrete ideas. I believe he has failed to place before the House any concrete ideas and my difficulty, therefore, in criticising him is all the greater. However, there were some observations in his speech which I think it is necessary for me to show to be untenable, and also to explode certain fallacies contained in his speech as well as in the remarks which fell from another Honourable Member from Madras, namely, Sir Gordon Fraser. The Honourable Mover pathetically complained that according to the Meston award his Presidency had a heavy contribution to pay and that the effect of that was that many of the Departments in that Presidency were starved and that they were in an extremely tragic and pitiable condition. Now, Sir, I have great sympathy for my Honourable friends from Madras. If they can place their finances in a satisfactory position I should be very glad indeed. My sympathy for them is on the ground that they are an agricultural province and we all wish that they should come into line with the other prosperous provinces if they can possibly do so. But when they wish to readjust the financial relations and the question of contributions, I also expect that they should extend to me, not sympathy, but justice and fairness for other provinces. Now, what is necessary for the present issue to discuss is not whether Madras is in a bad plight, but whether Madras is worse than all the other provinces or any other province in India; the Honourable Mover of the Resolution has failed to demonstrate that Madras is in an exceptionally bad condition. Member after Member during the previous controversy and even this morning have harped upon the fact that according to the Meston award the contribution from them in relation to other provinces is very high; in other words that Madras has to pay Rs. 348 lakhs as compared with, say, Rs. 60 or 63 or 67 lakhs whatever it may be from certain other provinces. That was probably the burden of the song of the Honourable Sir Gordon Fraser. But, Sir, the question has to be judged not in relation to what one province has to pay as compared with some other province, but we have to look into the history of the whole award and see what were the gains and the losses of each Presidency. Judged by this standard, all those who have read the Financial Relations Committee's Report, will see that Lord Meston while making his award gave to Madras in the shape of land revenue no less than Rs. 576 lakhs. That was a windfall which they got from the Government of India owing to the clean cut of the sources of revenue. The whole of their land revenue was given to them and in return for that they were expected to make a certain contribution to the Central Exchequer. The result of this was that, although it is the fact they have to pay Rs. 348 lakhs as their contribution to the Government of India, they are gainers by no less than Rs. 228 lakhs. Therefore, I fail to see

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how Madras is hit the hardest. No Member has proved that Madras is in a worse plight than any other Presidency. Only recently, Sir, in November last the whole of this question was sent up by the Government of India to the Secretary of State and the reply which the Secretary of State has sent back over this question sums up and gives a review of the position of all the provinces in India. I find from that review and the tables given there that Madras in 1922-23 has a deficit of 42 lakhs, but Madras is not the only province in that singular position at all. Bombay at the time of this despatch had also a deficit and that deficit was larger than the deficit of Madras. The deficit of Bombay was Rs. 50 lakhs and so also with the other provinces in India. The only two favourable provinces which had no deficit were Burma and Bengal. The Honourable Mover referred in a tone of derision to Bengal. The fact of the matter is that certain provinces like Bengal and Bombay have seriously considered how to set their houses in order. They have not hesitated to impose fresh taxation. By strictest retrenchment on the one hand and new taxation on the other they are making a valiant effort to improve their finances, and have put their houses in order.

Mr. President: Order, order. It may be reasonable for the Honourable Member to use that as an illustration to his argument, but I cannot allow the debate to turn upon the respective performances of the provinces in this respect. The Resolution asks for action by the Central Government and not for criticism of the provinces.

Mr. B. S. Kamat: I wish to show that Madras has failed to take the necessary steps to set her own house in order, and if she had done so or rather if she had sufficiently done so, probably she would not have come before this House for remission of contribution.

Mr. President: The Honourable Member must see that if I allow the debate to proceed on these lines, it will turn entirely upon the taxation in the provinces. As I have pointed out, the matter is relevant, but only in a minor degree.

Mr. B. S. Kamat: Now, taking the proposal of the Honourable Mover with reference to the setting aside of revenues, let us see what will be the effect of that proposal if we materialise that proposal by taking up definite concrete sources of revenue, let us see what is the effect. Does he mean that we should set aside income-tax? Does he mean that we should set aside some portion of the customs revenue? Whatever may be the proposition at the back of his mind, Sir, I contend it must mean greater deficit and therefore greater taxation. Has he taken into consideration the effect of his proposals on all the different provinces of India. Some of the other provinces are, as we all know, industrial provinces. We have to take into account in their case what they pay both in the shape of direct taxes and in the shape of indirect taxation. The Presidency of Bombay, for instance, has to pay to the Central Exchequer no less than 8 crores of rupees at the present moment. Similarly, the Presidency of Bengal must be also paying a very large amount in the shape of income-tax to the Central Exchequer. I have in my own hands a statement regarding the calculations of the total contributions from the principal major provinces to the Central Exchequer including income-tax. I quote the figures from a recent speech of the Member for Finance of the Bombay Government.

If you include income-tax in all the other contributions to the Central Exchequer the Bombay Presidency is paying 9 crores of rupees to the Government of India. Bengal is paying $7\frac{1}{2}$ crores and Madras is paying only 6 crores. If therefore the proposal to set aside certain Central revenues were to be accepted I contend that the result would be that it would tell very heavily on Bombay and on Bengal. My Honourable friend, Mr. Reddi, has referred to customs. In the case of customs, let us compare the position of the three different Presidencies. I have not got the latest figures with me, but taking the figures of 2 or 3 years back, of say 1919, let us examine what each port paid to the Central Exchequer. Calcutta in the year 1919 gave to the Government of India in the shape of customs revenue in the shape of import duty £300 millions; Bombay gave £300 millions nearly. But Madras gave only half a million. Take again the export duty which Madras has contributed. Calcutta contributed in that year to the Central Exchequer not less than £1,600,000, Bombay contributed as export duty £700,000, whereas Madras has contributed a miserable pittance of £1,300 only in the shape of export duty. That will roughly illustrate, Sir, how if the proposal of my Honourable friend were carried out to its logical conclusion he would be sharing in the good fortune due to the contributions by other Presidencies. My friend comes from the Madras Presidency where the joint Hindu family system is perhaps greatly liked. This proposal sounds to me like the proposal of three sons in a joint family to put together in a common pool their earnings, one brother getting a salary of say Rs. 1,000, another brother getting a salary of something like Rs. 500 and the third brother from Madras getting a salary of Rs. 60 as a school master. It is proposed that all these three salaries should be pooled together and out of that the provincial contribution should be wiped out. I think, Sir, it is not a fair proposal to make. Madras is going to profit by the wealth of other Presidencies. These are the grounds on which I think this proposal ought to be opposed. My friend, Mr. Haigh, has also objected that this proposal is exceedingly inopportune at the present moment. We are unable to see how the budget will stand and unless I know the budget, I think, to support this proposal would be a leap in the dark.

Dr. Nand Lal (West Punjab: Non-Muhammadan): Sir, the inference which I draw from this debate is that perhaps Bombay is fighting against Madras and *vice versa*. I may invite the attention of both the provinces to the terms of the Resolution. The terms of the Resolution are not in favour of one province and against the other. The attempt of the Resolution is to see that all these provinces may be relieved of the burden, which is, unduly, thrown upon them and if we shall fight with each other, like this, I am sorry the fate of this Resolution will be very unhappy. Now, the Resolution says that: "This Assembly recommends to the Governor General in Council that steps be taken immediately to set apart some revenues for the purpose of wiping out all contributions from the provinces in the course of six years." The Honourable Mr. Haigh says, "We shall, after some days, discuss the Budget and therefore we should not try to embarrass the Honourable the Finance Member." There is no point in it. This is a simple Resolution. We shall see about it when the budget comes and we wish some reduction may be shown in the Budget. This is simply a recommendation that is going to be made to the Governor General in Council and this may be appreciated now, and if not now, then afterwards. Now, Sir, if I may invite the attention of the House to the debates and discourses which were before the Punjab Legislative Council, then

[Dr. Nand Lal.]

this House, I am sure, will be convinced of the difficulties of that province. That overburdened province has to pay so much. It is impossible for that Government to spare so much. I am not going to say that this province is paying more and that province is paying less. I join the common cry saying that this burden is too much and the Government of India may very kindly find their way to see that we are relieved of it. With these few remarks I whole-heartedly support this Resolution.

Dr. H. S. Gour: As lawyers will say this Resolution is *res judicata*. It comes here masked in a different garb but the Resolution is the Resolution of September of last year and this House has pronounced its verdict upon that Resolution from which I think it could not appropriately recede. My second submission is that this Resolution is premature. We are on the threshold, as has been pointed out by the Honourable Mr. Haigh, of a new financial budget. The Inchcape Committee have formulated certain recommendations. We do not know what they are and to what extent they will modify the receipts and expenditure of the Central Government. We had a staggering budget last year and we can only hope that with the changed effect of the financial conditions of the Central Government and the retrenchment advocated by the Committee appointed for that purpose, we shall get some measure of relief, but till that time comes we have no revenue to set aside. The Resolution says, you shall immediately set apart some revenue but my friend, the Mover, of the Resolution has not indicated where the revenue is to come from.

Dr. Nand Lal: It rests with the Central Government to see. (*A Voice:* "Curtail expenditure.")

Dr. H. S. Gour: Then, Sir, we are told by different friends from different parts of the House 'Curtail expenditure.' It is for the Central Government to see. But whether it is for the Central Government to see or whether expenditure is curtailed or not, we shall have our pound of flesh. Is that a rational attitude to adopt. It is for this House to see as to how its revenue is allocated. If the House commits itself to this Resolution it commits itself irrevocably to additional taxation: let there be no mistake about it. If during the next budget we find that the revenue and expenditure are not balanced or are balanced upon last year's figures, the additional taxation which we sanction from year to year will not be abated but will continue. It is the same thing, whether you continue old taxation or have additional taxation but the question whether we shall tax the country at large for the purpose of benefitting several provinces or retain the very high level of taxation already reached in the country is a question which cannot be examined piecemeal and in connection with this Resolution. Then, Sir, when I heard the Honourable Members speak, I almost thought that this Resolution dealing directly with the Madras contribution and reinforced with the same argument, is an old Resolution which comes here in a new garb but whether it is a Resolution directly dealing with the relief of Madras, or the United Provinces or the Punjab, I hope Honourable Members will realise their responsibility and see that they may be voting upon this Resolution in a way which after the budget is introduced they may not be in a position to endorse. Honourable Members will further remember that frequent references have been made to Lord Meston's award. If Honourable Members will turn to the pages of Lord Meston's report they will find one very significant fact which was

the basis of the entire award and that was that the military expenditure was taken at 42 crores of rupees. But what has been the actual expenditure? We have been told that it runs to Rs. 70 crores if not more. What is the difference between Rs. 70 crores and Rs. 42 crores? Rs. 28 crores. Now, Sir, I ask Honourable Members a simple question. If Lord Meston's award is to be revised, who is to pay for this additional burden thrown upon the Central Government, namely, 28 crores of rupees,—and I have no doubt that if the provinces have to contribute, or had to contribute, upon this new basis, their contribution would be larger and certainly not less. The fact is, Sir, that the subsequent events have completely falsified the calculations made at the time of Lord Meston's award. The whole award has to be scrapped, it has to be re-examined, and if that, I submit, was the Resolution to be moved, for the purpose of re-examining the whole question, not of one Provincial contribution or of another Provincial contribution but of the financial relations of the Central Government with the various provinces, then I submit this House would support such a Resolution. But to ask that Madras should get relief, or the United Provinces should get relief, or, in a smaller measure, my own Province should get relief, is to ask for relief oblivious of the fact that we cannot dissociate Provincial revenue from Central revenue. During the course of the last debate in Simla the fact was borne in upon the Members of this Honourable House that one-third of the Army of India is kept for the preservation of internal peace and order, and it was pointed out by some of us that in maintaining one-third of the Army in this country, it is maintained for the purpose of doing what is primarily the function of the police. Now, Sir, if one-third of the Army is kept for the preservation of peace and order in the provinces, can it be denied that it is primarily a provincial charge? And if you were to saddle the provinces with one-third of the cost of the army of India, what would be the result? Would the provincial contribution be greater or less than one-third under Lord Meston's award? I submit, Sir, that these are questions which cannot be ignored in considering the Resolution upon which this House is called upon to vote. Lastly, Sir, I turn to the very terms of the Resolution. It says that 'steps be taken immediately to set apart some revenues.' In what way, Sir, are the steps to be taken? Are they to be taken by retrenchment or the levy of additional taxation (*An Honourable Member*: "The Government of India will look into it.") And if the Honourable Finance Member has no revenue at all, what support is this House prepared to give to a proposal, let us assume, for the enhancement of a cotton excise duty, or the levying of a salt tax, or the taxation of kerosene, or the enhancement of a duty upon matches? Will this House be prepared to support the Government upon proposals for additional taxation of this character? (*Voices*: "No, no.") I submit, not. My friends have rightly said 'No, no.' Now, Sir, unless you are prepared to find the money, you cannot ask the Central Government to allocate any portion of money for the relief of the provinces. On these grounds, Sir, I feel constrained to oppose the Resolution, though I should be inclined to support it if my friend, the Honourable Mover of this Resolution, makes it subject to two conditions. The first is that the words 'immediately' and 'six years' should be removed, and in their place the words 'as soon as possible' or 'as far as practicable' be substituted; and the last condition, and a very important condition, is that this readjustment should not involve the Central Government in any additional taxation. If the Honourable Mover of the Resolution is prepared to accept these terms, I have no doubt the House will support him. But unless these qualifications are added to the Resolution, I feel,

[Dr. H. S. Gour.]

Sir, that the House would not be justified in lending its support to the Resolution. The Resolution, as it stands, is, as I have said, unworkable, premature, inexpedient and improper, and I hope the House will throw it out.

Mr. P. P. Ginwala (Burma: Non-European): Sir, I rise to move the amendment which stands against my name; it runs as follows:

“That for the original Resolution the following be substituted:

‘This Assembly recommends to the Governor General in Council that with effect from the financial year 1923-24 a commencement be made in the reduction of provincial contributions and that the financial policy of the Government of India be directed to secure their total abolition within a period not exceeding seven years.

This Assembly further recommends to the Governor General in Council that with a view further to give effect to this policy a complete examination be made of all possible sources of Central revenue in order to determine how far, with due regard to the taxable capacity of the people, they admit of being improved and expanded.’”

The amendment which I am moving meets some of the difficulties which have been raised by some of the Honourable Members who have preceded me. For a moment I shall remind the House of the implications of the Meston award. It is not my purpose to go into its fairness or otherwise, but the Meston award contemplates two things which are obvious to anybody who reads the Report,—first that these Provincial contributions are to continue for a certain number of years, and secondly, it pre-supposes that before the Government of India can do away with these contributions, its own finances must have improved. It contemplates a time when the Government of India will be able to manage its Budget without levying any contributions from the provinces. Now, therefore, it means this, that sometime or other the Government of India will have to look about itself to see whether its budget has balanced, and if the budget has not balanced, it will have to look to see how it can best be balanced. When it has balanced, it will be in a position to give up the Provincial contributions that it takes from the various provinces.

Mr. President: I must draw the Honourable Member's attention to the fact that the question of an enquiry into all possible sources of Central revenue is outside the scope of the Resolution. Therefore, the second part of his amendment necessarily falls to the ground. He can move the first part.

Mr. P. P. Ginwala: May I explain how I may move the second part also? My contention is this: it has been argued first of all that the Meston award cannot be set aside just now or at any rate within a certain period,—secondly, that the Government of India cannot be expected to give up the Provincial contributions until its own finances have improved, and my submission is, that the whole system of taxation is just now such that, unless an examination is made of that, it will never be in a position to give up the contributions.

Mr. President: The Honourable Member is not drawing the necessary distinction between the merits of his own proposal and the technical question of order. The proposal made in the Resolution is to invite the Government of India to set apart some of the revenues for the definite purpose of

wiping out Provincial contributions. No doubt the Government will have, as far as the merits of the question are concerned, to inquire into all sources of revenue, but as far as the purpose of this debate is concerned, the Honourable Member must stick to the specific question raised by the Resolution. The first part of his amendment is in order; the second part is out of order.

Mr. P. P. Ginwala: Well, Sir, in any case I submit that the Government of India is now called upon by this House, if this amendment or the Resolution is accepted, to make a beginning in the abolition of provincial contributions. And my contention is that the Government of India's resources, if full use is made of them, will permit the Government to do so. I maintain that it has not made the best possible use of the resources at its disposal. I shall draw attention for a little while to the present sources of revenue to make my point clear. They have three or four important sources of revenue, the most important being customs, from which according to the Budget it expects to realize 45 crores of rupees. I do not know how far those anticipations are going to be realized, but we shall assume that they will very nearly be realized. And if you look at the manner in which these customs taxes are levied, it will be seen that no principle is followed by the Government in levying them.

Mr. President: I cannot allow the Honourable Member to enter upon an argument as to the manner in which duties are levied.

Mr. P. P. Ginwala: I am not talking of a protected tariff. I am talking about their sources of revenue.

Mr. President: The Honourable gentleman was proceeding to discuss the manner in which those taxes were levied. That has nothing to do with this Resolution.

Mr. P. P. Ginwala: Well, Sir, I am sorry there is this difference of opinion between the Chair and myself but I have no hesitation in accepting the decision given. I shall therefore confine myself more or less to the first part of the amendment and refer incidentally to the second part—(*Dr. H. S. Gour:* "That has been ruled out of order.")—in so far as it may be necessary to make the first part clear.

The first part of my amendment suggests that a beginning should be made from the next financial year and that the process should continue for a further period of seven years. That is what was contemplated by the Meston Committee's award when it was first made, subject, of course, in the meanwhile to the financial position of the Government of India itself. It has been suggested just now that if the question before the Assembly was the total abolition or the setting aside of the Meston award, my Honourable friend, Dr. Gour, and other Honourable Members from Bombay would have supported this Resolution. But as it is a question of merely giving up these contributions they will not be satisfied. I fail to understand the logic of that argument. They make a certain contribution to the revenues of the Government of India; we propose that those contributions should be discontinued; to that extent, therefore, they must admit that they will be the gainers, whatever contribution they may make to the Central revenues. I cannot understand their reasoning at all specially in

[Mr. P. P. Ginwala.]

the case of my Honourable friends from Bombay. Last year they made a plaintive wail in this House. My Honourable friend, Mr. Jamnadas Dwarkadas, was very eloquent about the miseries of Bombay owing to its resources being curtailed in this way by the Meston award. This year I read that the Bombay Government is budgetting for a surplus; therefore the outlook of my Honourable friends from Bombay has totally changed. They despise even the suggestion that they should be relieved of any contribution whatsoever, because they have been able to budget for a surplus. That is what their present position comes to. But I want to know from my Honourable friends from Bombay how they would be prejudiced if the Government of India found it possible to give up all the provincial contributions? To that there has been no reply. Whatever the contribution may be, why should they consider themselves above receiving that benefit from the Government of India if it is in a position to give up the contributions? Because they cannot have the Meston award set aside altogether, they will not have anything whatsoever from the Government of India. My Honourable friend, Dr. Gour, also said, "Oh, if it does not involve any additional taxation, I will be prepared to vote for it." Now there is no question of any additional taxation at all. It is a mere adjustment. (*Voices*: "No, no.") It is a mere adjustment, I maintain, of the taxation of the Central Government; an adjustment on a more equitable basis, a basis which would compel everybody who ought to pay to pay. It will have regard to the fact that those people who are in a position to pay the most must be made to pay the most, and those who can afford to pay the least will pay the least. I contend that if that system is followed, it is a question not of increasing taxation, but merely of readjusting it according to the capacity of the people. My Honourable friend conjures up before himself some danger that if we embark upon this there is the danger of the taxation being increased. He has not said why it should be increased, nor have my Honourable friends from Bombay suggested that taxation must be increased if the Government of India is to be placed in a position to give up these contributions. No doubt, Sir, if the Government of India persists in taxing the people as they are doing without any reference whatsoever to the taxable capacity of the people, it would mean additional taxation, but not otherwise. I say with some confidence that there has never been any principle in the manner in which the Government of India have levied taxation. That is why my Honourable friend, Dr. Gour, is so nervous about giving his consent to this Resolution. He anticipates that the Government of India will always muddle through their taxation and that this must lead to an increase in taxation instead of a mere adjustment of the existing taxation. If he looks at the whole system he will find that a reasonable and careful examination in their own offices will suggest to the Government of India methods by which, without imposing an iota of additional taxation, they could increase their revenues. Though perhaps it is not necessary for this House to make suggestions to the Government of India, who are expected and claim to know everything about taxation, it may perhaps be suggested that there should be no apprehensions entertained on the score that the acceptance of this amendment would necessarily lead to an increase in taxation. Neither Dr. Gour nor the Government have at any time attempted to explore the possibilities of Indian taxation with a view to relieving the poor tax-payer whilst increasing the total revenues of the Government of India. In a period of 6 or 7 years, if the Government of India really looked

into their own finances, it will be in a position without a penny of additional taxation to meet this demand. Another thing that has been suggested is that it should reduce their expenditure. A very great Committee is now examining this question, but I do not think that even a powerful Committee such as that would be able to abolish all expenditure; if it is able to do so, the millenium would come and there would be no taxation. But in case it is not able to make such a sweeping proposal, but if its proposals merely enable the Government of India, by curtailing expenditure, to get rid of the deficit, then a time must come when the Government of India must look into possible sources of revenue and to see how they can be so expanded as to meet the legitimate demand of the provinces.

I will make one observation before I sit down, namely, that I am not in any way interested, as representing Burma, in the abolition of the provincial contributions, except that if it is abolished we should appreciate it. We make a contribution of about Rs. 64 lakhs a year for which we get a very good return. We are allowed, we have the right to be here in this Assembly and we are sometimes permitted to lend some of our most efficient Secretaries to the Government of India. We think that that is a reasonable return; we make no complaint. But if in addition to these advantages we are relieved also of Rs. 64 lakhs a year, we shall not despise the gift like my Honourable friends from Bombay who are despising the sum of 56 lakhs which is their provincial contribution and of which we are suggesting they should be relieved.

(Mr. Jamnadas Dwarkadas here rose to speak.)

Mr. President: I suggest to the Honourable Member that he ought to finish. It is time.

Mr. P. P. Ginwala: I am very sorry to make my Honourable friend wait for a couple or more minutes, because I know, Sir, that he has come prepared with a very violent speech on the disadvantages of setting aside the Meston award. I think that is the case which he will present, because Bombay does not require the abolition of the contribution by the Government of India. I will make one last observation before I sit down. Though I have said in my amendment that it should be done within a period of not more than seven years, it is unnecessary that a period should be fixed in the amendment at all. The period of seven years is put in because it is more or less in accordance with what the Meston award itself contemplates; but if there is any amendment moved to that effect there I should be perfectly willing to omit it. There is nothing controversial whatsoever in this amendment of mine. It merely lays down a principle upon which, I have no doubt, the Government of India are acting. Though the principle may be good, yet my Honourable friends from Bombay are nervous lest they should be compelled to accept from the Government of India this gift of Rs. 56 lakhs a year, and that, I submit, is no ground whatsoever why this House should reject this amendment. I trust the House will accept my amendment.

Mr. Jamnadas Dwarkadas: Sir, I am afraid I am going to disappoint my Honourable friend, Mr. Ginwala. I am not going to make any violent speech at all. Violence, in the first place, as my Honourable friend ought to know, is not in my nature, nor, so far as dealing with this question is concerned, do I think it is necessary. As a matter of fact, I wanted to

[Mr. Jamnadas Dwarkadas.]

rise at an early stage to move that the question should be postponed to a subsequent date, but I feel, Sir, that it is better that it should be discussed, because although I am neither an astrologer nor a prophet, I have no difficulty in seeing the fate of this Resolution. However, Sir, I am glad that this Resolution should have been brought up for discussion for one additional reason. You know, Sir, that I always value the opinions of my Honourable friend Dr. Gour and I should rather have him with me on any question than against me. Now, my Honourable friend bringing this Resolution here has, I think, brought about a welcome change in the attitude of my Honourable friend Dr. Gour. I was wondering whether it was Dr. Gour who said that if a Resolution asking for a re-examination of the whole basis of the Meston award were brought forward, he would support it. I was wondering whether it was Dr. Gour who said that, because when I moved an amendment to that effect when we were discussing the matter in Simla, I found to my surprise and to my dismay my Honourable friend Dr. Gour levelling his attacks at me and opposing the amendment with all the force that he could possibly command. He even went so far as to say that this suggestion of mine was a death-trap and warned the House not to fall into it. Well, Sir, everyone learns wisdom as days pass by and even at this age in spite of his learning, I am glad to realise that my Honourable friend does not shut out the opportunity of learning; and I am glad, Sir, that to-day my Honourable friend has really supported the view that I placed before the Assembly in Simla.

Now, Sir, coming to the amendment of my Honourable friend Mr. Ginwala, I do not see that there is any difference between the Resolution as moved by my Honourable friend, Mr. Reddi, and the amendment as moved by my Honourable friend, Mr. Ginwala. So far as those of us who are opposing the Resolution of Mr. Reddi are concerned, we need scarcely say that our attitude towards Mr. Ginwala's amendment will be the same. We cannot accept it. But what I cannot understand is the argument that has been advanced by Mr. Ginwala in support of his amendment. He says even if you give back these contributions why will you be dragged to the necessity of having additional taxation. I cannot understand it. It is simple arithmetic; simple common sense. You have here a large sum of money. Madras contributes say $3\frac{1}{2}$ crores to that sum. If you give a portion of that money back to Madras, that money has got to be realised from other provinces in some manner or other. If you have got to bring in that money somehow, how are you going to bring it in except by additional taxation? Suppose, for instance, as is natural in these cases, the Customs duty was raised. Who is going to pay that Customs duty? My Honourable friend Mr. Kamat has just given you figures which are most eloquent. Bombay and Bengal are the two provinces which pay the largest contribution to the Customs. Sir, the immediate effect of giving back to the provinces any portion of their contribution would be that if Customs were raised, Bombay and Bengal at any rate would be the provinces that would suffer most; Bengal more than Bombay. I admit. But if you look at the figures that my Honourable friend, Mr. Kamat, has quoted, you will find that the port of Bombay and the port of Calcutta are paying the largest contributions to the Customs Revenue. Therefore, I cannot understand the argument of my Honourable friend, Mr. Ginwala, that you are going to pay back these contributions from somewhere (I know not where) without resorting to additional taxation or, without, as my Honourable

friend, Dr. Gour, rightly put, taking away anything from the additional burden that has been placed on the shoulders of the people of this country during the last two years. If the Government of India can afford to give any money back and if they do not need so much money for the central expenditure, then the first duty that devolves upon them is to remove some of the burden of additional taxation that they have placed on the shoulders of this country, rather than think of paying back the contributions of some of the Provinces at the expense of other provinces. Therefore I am entirely at a loss to understand the force of my Honourable friend Mr. Ginwala's argument on which, although he talked of different things, it seems to me he based his whole amendment. Now I need say nothing more in regard to the Resolution moved by my Honourable friend, Mr. Ginwala. It is now known to us all that although a claim is being made that many Provinces will get relief, the whole case, as presented, is for the benefit of Madras. I do not for a moment want to say anything against the desire of Madras to get back a portion of its 3½ crores. I think Madras wants money for expenses for various departments, and I think Madras is entitled to claim that some more money should be given back to it, but I do feel this, that even Madras has no right to make that claim if the money that they would get back would be at the expense of other Provinces. You have got to give due consideration to the financial situation of the Government of India before you make an arbitrary demand like that, which might do good to you, but which may mean a lot of harm to other Provinces. But my Honourable friend, Mr. Ginwala, says, "Oh Bombay has just managed to start with a surplus budget." Well, that is so. I hope Madras will follow suit. Bombay—if I may say so without assuming any unnecessary pride on behalf of Bombay—will always try to get its grievances redressed, as it did at Simla. It did go into the whole question of the basis of Lord Meston's allocation, but when it found that neither the Government of India nor my Honourable friends themselves who were dissatisfied with Lord Meston's award, were prepared to support the claim of Bombay, which was not made exclusively for itself, but which was made for the benefit of all the Provinces, Bombay could not sit with folded arms and do nothing. Bombay is in the habit, if I may say so, of trying to get its grievances redressed by all kinds of measures, but if it cannot, Bombay does know how to stand on its own feet. Bombay can find out methods by which it can rely on itself and make its two ends meet. Is that, Sir, a reason why other Provinces, who ought to follow the good example of Bombay, and who ought to learn the art of standing on their own feet, is that a good reason why other Provinces should claim more from Bombay and should claim more for themselves when they are not prepared to take the situation of their own Provinces in hand and make an effort to see that their budget is balanced? I am sure if my Honourable friends from Madras devoted half their energies to the improvement of the financial situation in Madras instead of throwing all their force into getting something out of the Government of India, which I do not think they are likely to get, if they devoted half their energies to that problem, they would soon find, within a year or two, that they would also have succeeded in imitating the example of Bombay, and will probably be standing on their own feet, and that will be to their credit. Sir, I do not think I need any further arguments for opposing the Resolution.

Baba Ujagar Singh Bedi (Punjab : Landholders): Sir, I rise to associate myself with the Mover of the Resolution. I have heard some of the

[Baba Ujagar Singh Bedi.]

magnificent speeches both for and against the Resolution, and more especially the cogent and argumentative speeches of my friend, Dr. Gour, prinked with his eloquence and that of the Honourable Mr. Jamnadas Dwarkadas. The former has pointed out, Sir, that there is a great danger if we resort to the recommendations made in this Resolution. The first danger is that we will have to raise fresh taxation, and if we propose fresh taxation it will fall on the consumers

Dr. H. S. Gour: On the people.

Baba Ujagar Singh Bedi: On the people. Well, Sir, I think it only reminds me of the same story which I mentioned at the last Session of the Assembly at Simla. I think it is not justice that one Province should bear the burden of another Province. Let everybody and anybody who lives in India share and pay to the Central Government, whether by fresh taxation or in any other form in which the demand comes. We are all equally citizens of this country and are equally responsible for subscribing to the central exchequer. It is not fair that one Province should pay for another. Then, Sir, my friend, Mr. Jamnadas, has said that, as Bombay is paying a high port duty, therefore Bombay is much ahead in that respect. But, Sir, I must just point out that all these commodities come from different Provinces and they are exported through these ports. It is not only Bombay that pays these duties. To elucidate my meaning may I point out, Sir, that we have just proposed a new assessment on cotton of four annas on each bale. I will just put the question to my Honourable friend. If all these bales are exported from Bombay, would it mean that it is paid from the pocket of Bombay? Certainly not, it is paid from the pockets of the agriculturists. It is not Bombay that is going to pay for it. Then, Sir, I will refer to some of the speeches from the Punjab, which felt this Provincial contribution so heavily. In his speech in the Punjab Council on the 21st February, 1922, Sir John Maynard said:

“The Committee, having taken into account the indirect contribution of each Province, and in particular the incidence of customs duties and income-tax, and having inquired into the taxable capacity with reference to probable developments, concluded that the standard contribution for the Punjab was 9 per cent. of the total, or Rs. 87½ lakhs per annum. But practical considerations made it impossible to levy an even standard contribution at once from each Province and the Committee proposed an intermediate contribution from the Punjab of double the standard.”

Then there is another gentleman, Muhammad Hussain, who says as regards the provincial contributions:

“The first is to cut and control the expenditure as much as we can possibly do, to equalise income and expenditure, and the second to ask or approach the Government of India once more to forego or to reduce the contribution which they have imposed upon us.”

So, my submission is, Sir, that my province, a poor province, is paying very heavily for the other provinces. For this reason, Sir, I give my whole-hearted support to the Resolution.

Mr. T. E. Moir (Madras: Nominated Official): Sir, it is with some reluctance that I again take part in a debate on this vexed question of the contributions, but there are several points which have been raised by speakers who have taken part in the debate to which I think some answer

is necessary on behalf both of those who moved the Resolution and the amendment and of the province from which I come. My Honourable friend, Mr. Haigh, rather twitted those who have supported this Resolution with the fact that it is inopportune and might better have been moved on another occasion. I would point out that those who have interested themselves in this question are not their own masters in this matter of dates; they are subject to the public business of this House and the luck of the ballot. We certainly would have preferred to have an earlier opportunity for once more pressing this matter on the attention of the Government of India, and it is not our fault if it happens that the debate should take place a week before the presentation of the Budget. My Honourable friend, Mr. Haigh, further attacked us on the ground that we were attempting, in anticipation of that date, to elicit from the Honourable the Finance Member some indication of his intentions. Now nothing was further from our minds and I do not think that he can point to any statement in any of the speeches which have been made on behalf of this Resolution or the amendment which showed any attempt to elicit from the Honourable the Finance Member any such information. If I may say so, it was Mr. Haigh himself who was guilty of such an attempt. His remarks reminded me very much of that form of leading question which generally is referred to as asking some one whether he has left off beating his wife. What he really asked the Honourable the Finance Member was "Have you left off having a deficit," and he apparently expected the Honourable the Finance Member to give some answer to that leading question. I quite agree

Mr. P. B. Haigh: Shall I be in order, Sir, in saying that I never expected the Honourable the Finance Member to say anything at all.

Mr. T. E. Moir: I quite agree with my Honourable friend, Mr. Haigh, in that remark, because I also agree with him that the bird is much too wary.

Now, Sir, Mr. Haigh and several of his colleagues have shown an attitude in this matter which was what we expected. We anticipated opposition from Bombay and we certainly have got it. Now, we in Madras have the greatest admiration for Bombay and in that I feel sure that every Member of this House shares our feelings. We are proud of Bombay, that fair sea queen, who sits by the sea watching her argosies go to and fro. But, regal city as Bombay is, enterprising as its citizens are, they do, I think, display certain qualities which are generally associated with an aquatic animal of a somewhat lower order. In the first place, Bombay is absorbent. It drags into its capacious maw wealth from all quarters of the globe and from all quarters of India. It is also retentive. Else how comes it that, in spite of the protests of every other province in India, in spite of the continued protests from my own province, as my Honourable friend, Sir Gordon Fraser, has pointed out, when the reforms came into being and the new financial relations were introduced, it was found that Bombay had been retaining out of its vast wealth Rs. 2 per head of its population for every rupee that every other province in India could boast of. Further, there is another characteristic which is common, it seems to me, to some of our Bombay friends and that lower organism to which I have referred. Bombay is convinced that all it contains has been its own creation; that those supplies which swell its pores and its fibres are all entirely due to its own efforts. "Alone we did it is their motto." Now, I would

[Mr. T. E. Moir.]

ask my Honourable friend from Bombay if its hinterland were limited by the borders of its own province, if its hinterland were confined to that strip which runs east of the Western Ghats to the borders of Hyderabad and Northern India, would the city of Bombay be the proud city it is. No, of course not, and I must protest most strongly against this perpetual and recurring assumption on the part of Bombay that its wealth is entirely due to its own efforts, to its own enterprise, and that the rest of India has had no share in creating that wealth.

Mr. President: I must point out to the Honourable Member that, having allowed a certain amount of latitude to the spokesman from Bombay, I have allowed him a similar latitude, but I must now invite him to confine himself to the Resolution.

Mr. T. E. Moir: Sir, I have done with that aspect of the question. I will now turn to a remark of my Honourable friend, Dr. Gour. Now, I wish I could debate two sides of the question with the same fervour as Dr. Gour, but there is at least one remark for which on this occasion I have to thank him. He informed us as an eminent lawyer that this matter is *res judicata*. I agree entirely with him that it is *res judicata*. Our claim is based on the law of the land; it is enshrined in statutory rules, and what we are complaining of is not that it is *res judicata* but that it is impossible for us to get execution of our claims. Sir, I have no desire to go once more over the real issues which underlie this Resolution. The Government of India have been informed more than once of the manner in which the political and the administrative life of the Madras Presidency and of other Provinces, which are hampered under the same disabilities, suffers owing to this question of the contributions. I would to-day urge it more specially on another ground. We have an opportunity to-day of welcoming to this arena a new Finance Member, and I trust that you will realise from what has been stated in debate to-day that this is a serious question, that it is warping the relations between Province and Province and between the Provinces and the Government of India, and that it is most essential in the interests of all concerned that this recurring source of controversy and friction should be removed. I entirely agree that if it had been open to us we would have sought another occasion for pressing this matter upon the Government of India; but, if I may say so, the fact that we have done so now is entirely justified by the speech of my Honourable friend, Mr. Jamnadas Dwarkadas. What he has really told us is that as far as he and his Province are concerned, they will not under any circumstances consent to these Devolution Rules being put into effect so long as they can oppose it and thereby further their own ends. Now, Sir, we in Madras must protest strongly against that attitude. We stand by our rights and we do insist that it is the duty of the Government of India at the earliest possible opportunity to give effect to these Rules, which are Statutory Rules. What we do ask is a further declaration from the Government of India that they do not share the attitude of the Bombay representatives, that they recognise our claims and that they intend to give effect to them. I sincerely trust that the Honourable the Finance Member will find himself in a position to give these assurances to which we are legitimately entitled, and I can assure him that in that case we have no intention of further pressing this question. We shall rest secure in the assurances which we hope he will be in a position to give us and we shall trust that he will give

effect to them and direct his financial policy by all possible means towards that end.

The Honourable Sir Basil Blackett (Finance Member): This subject, Sir, seems to be one which lends itself to metaphors. I understand that Madras is the milch-cow of India. I myself have been compared to so many kinds of animals to-day that I find difficulty in keeping pace with them. Mr. Haigh, I think, said I was a dark horse. I hope that if he is in the habit of betting he will not judge by my form to-day as to what I am going to say next week.

Obviously, as the House is well aware, this is not the most convenient moment for the Government of India to express its views on the subject of the provincial contributions. The Budget is after all only a week ahead. I make no complaint at all that this Resolution has been moved to-day. On the contrary, I had not the honour of being present at Simla last year; so the debate has been extremely interesting and valuable to me and has brought me much knowledge. There has been such a multiplicity of counsellors that I do not know that it has brought me all the wisdom that I should have desired. But none the less I have no complaint to make and I am very glad to have been able to listen to the real grievances and the fancied grievances of the tax-payers of India.

Now it is natural and proper that representatives coming from individual Provinces should voice the views of their Governments in regard to those provincial contributions. But after all, we here to-day represent—we are the Legislative Assembly for India as a whole, and our first duty is to the Budget of the Central Government. Every Federal Government of which I know comes up against this sort of difficulty. Mr. Haigh has an idea of provincial autonomy and the right of a Province to use its own resources which seems to me to imply as a corollary that the Federal Government have no rights at all in Bombay.

Mr. P. B. Haigh: May I say, Sir, that I never made any such suggestion. I deliberately refrained from arguing at length what I called the case of Bombay.

The Honourable Sir Basil Blackett: I apologise to Mr. Haigh if I overstated anything. What I think he said was that Bombay claimed its right to all its resources. I think if Bombay claims its right to all its resources, there is very little room for the Central Government. However, if my inference was incorrect, I apologise at once. We here represent India as a whole. Next week I am going to have the honour of laying before this House an account of the stewardship of the Government of India for the year 1922-23 and of its proposed action during 1923-24. I submit, Sir, that to debate to-day the question whether additional taxation or existing taxation should be set aside for the purpose of an immediate reduction in provincial contributions is an impossibility in the absence of all the material facts which will not be before us till next week. I recognise that every one of the Provinces takes a very deep interest in its contribution. Except perhaps Bombay which desires to manage the matter in its own way, all of them are looking to the Government of India at an early date to reduce their contributions. Now the Government of India is under a very definite pledge in this matter which has been repeated again and again. It is, as

[Sir Basil Blackett.]

one member—Dr. Gour—said, *res judicata*. The Government of India has promised—the exact words I think are:

“That they will shape their financial policy towards the reduction and eventual extinction of the provincial contributions.”

That is not merely a promise; it is a statement of fact. The Government of India is and has been steadfastly shaping its policy towards the reduction and eventual extinction of the provincial contributions. I have too much sympathy with my own position in trying to balance the Budget not to have sympathy with the Finance Members in the Provincial Governments. But charity begins at home. Our first duty is to balance our own Budget, and I submit that it is the duty of all of us here as representatives of India in an All-India Assembly to direct our attention first and foremost to what is our primary duty in this matter, which is the balancing of our own Budget, being quite sure that that is essentially the first step towards that reduction and eventual extinction of the provincial contributions to which we are all looking forward. Obviously I cannot say very much that is to the comfort of Bombay to-day. Lord Meston's award, whether it is the best possible or not, is *res judicata*. It obviously holds the field for the time being and for the time being that award must surely be regarded as a closed issue. If you reopen that award it would merely add new elements of uncertainty to the central Budget and to all of the provincial Budgets. A time may come when the contributions have been extinguished when it may be desirable to reopen the question but the time surely is not yet. For those who are in favour, unlike Bombay, of the Government of India keeping its promise and steadfastly directing its policy towards the reduction and eventual extinction of the provincial contributions I do not think I can say more than I have already said. The Government is and has been directing its policy to that end. If I were to say more I should be anticipating what will have to be said next week. There is really a very large measure of agreement I think in this House on this Resolution. The original Resolution recommended that steps be taken immediately to set apart some revenues for the purpose of wiping out all contributions from the Provinces in the course of six years. The amendment dots the i's and substitutes for the word “immediately” the words “with effect from the financial year 1923-24” and it also seeks to do the needful within seven years. Until the Honourable Mover got up I was in doubt as to whether the words “to set apart some revenues” meant to impose additional taxation or whether they meant simply to set apart some of the existing taxation. I am still in a certain amount of doubt on that point, but quite clearly the word “immediately” means in the year 1923-24, and 6 or 7 years fixes a definite time limit. Now, I would like the House to consider this possibility. It does not necessarily follow if there is no reduction in 1923-24 in the provincial contributions that the whole of them may not be wiped out in less than six years. It is not necessary that we should proceed by arithmetically proportionate steps, and I think also Government would quite clearly be mistaken if it were to accept willingly a time limit when it is subject to all the contingencies which in this wicked world of to-day Governments are faced with. But there is a general measure of agreement and it does seem to me a pity that we should go into different lobbies to vote for and against this Resolution or this amendment. Sir, if I may be permitted I should like to suggest that after the very interesting and instructive debate that we have had we should now adjourn the discussion. I should like to move if I may that the discussion be now adjourned.

Mr. President: The question is that this debate be now adjourned.

The Assembly divided:

AYES—53.

Abdul Rahim Khan, Mr.
Abul Kasem, Maulvi.
Ahmed, Mr. K.
Ahsan Khan, Mr. M.
Aiyar, Mr. A. V. V.
Aiyer, Sir P. S. Sivaswamy.
Akram Hussain, Prince A. M. M.
Allen, Mr. B. C.
Barua, Mr. D. C.
Basu, Mr. J. N.
Bijlikhan, Sardar G.
Bradley-Birt, Mr. F. B.
Burdon, Mr. E.
Cabell, Mr. W. H. L.
Chatterjee, Mr. A. C.
Chaudhuri, Mr. J.
Crookshank, Sir Sydney.
Dalal, Sardar B. A.
Das, Babu B. S.
Faridoonji, Mr. R.
Haigh, Mr. P. B.
Hindley, Mr. C. D. M.
Holme, Mr. H. E.
Hullah, Mr. J.
Innes, the Honourable Mr. C. A.
Jamnadas Dwarkadas, Mr.
Jejeebhoy, Sir Jamsetjee.

Joshi, Mr. N. M.
Kamat, Mr. B. S.
Lakshmi Narayan Lal, Mr.
Latthe, Mr. A. B.
Ley, Mr. A. H.
Lindsay, Mr. Darcy.
Mitter, Mr. K. N.
Moncrieff Smith, Sir Henry.
Mukherjee, Mr. J. N.
Mukherjee, Mr. T. P.
Nabi Hadi, Mr. S. M.
Neogy, Mr. K. C.
Percival, Mr. P. E.
Pyari Lal, Mr.
Rhodes, Sir Campbell.
Sams, Mr. H. A.
Sarfaraz Hussain Khan, Mr.
Sarvadhikary, Sir Deva Prasad.
Singh, Babu B. P.
Singh, Mr. S. N.
Sinha, Babu L. P.
Tonkinson, Mr. H.
Townsend, Mr. C. A. H.
Tulshan, Mr. Sheopershad.
Wajihuddin, Haji.
Webb, Sir Montagu.

NOES—36.

Asad Ali, Mir.
Asjad-ul-lah, Maulvi Miyan.
Ayyangar, Mr. M. G. M.
Ayyar, Mr. T. V. Seshagiri.
Bagde, Mr. K. G.
Bajpai, Mr. S. P.
Bhargava, Pandit J. L.
Bishambhar Nath, Mr.
Clark, Mr. G. S.
Cotelingam, Mr. J. P.
Fraser, Sir Gordon.
Gajjan Singh, Sardar Bahadur.
Gidney, Lieut.-Col. H. A. J.
Ginwala, Mr. P. P.
Girdhardas, Mr. N.
Gulab Singh, Sardar.
Ibrahim Ali Khan, Col. Nawab Mohd.
Ikramullah Khan, Raja Mohd.

Iswar Saran, Munshi.
Jatkar, Mr. B. H. R.
Mahadeo Prasad, Munshi.
Man Singh, Bhai.
Moir, Mr. T. E.
Mudaliar, Mr. S.
Muhammad Hussain, Mr. T.
Nand Lal, Dr.
Nayar, Mr. K. M.
Rajan Baksh Shah, Mukhdum S.
Ramayya Pantulu, Mr. J.
Rangachariar, Mr. T.
Reddi, Mr. M. K.
Schamnad, Mr. Mahmood.
Shahab-ud-Din, Chaudhri.
Subrahmanayam, Mr. C. S.
Ujagar Singh, Baba Bedi.
Venkatapatiraju, Mr. B.

The motion was adopted:

STATEMENT OF BUSINESS.

The Honourable Sir Malcolm Hailey (Home Member): The following is the list of business. It is being circulated now.

Saturday, the 24th.—1. A Bill to amend the Indian Income-tax Act to be introduced with the leave of the Assembly.

2. The Cotton Cess Bill is to be disposed of, and

3. The Official Secrets Bill is to be disposed of.

[Sir Malcolm Hailey.]

Monday, the 26th.—1. Motion for the passing of the Criminal Procedure Code Bill.

2. The White Slave Traffic Bill will be taken into consideration, and also

3. The Bill to amend the Indian Stamps Act, and

4. A Bill to amend Government Savings Banks Act, and

5. If time permits a Resolution will be moved by Mr. Seshagiri Ayyar on the subject of an assurance by the Assembly regarding the repudiation of the Government's obligations and liabilities.

Tuesday, the 27th.—1. The Bill to amend the Indian Income-tax Act will be taken into consideration, if leave is given for its introduction on Saturday.

2. Workmen's Compensation Bill will be taken up, should any message from the Council of State be received in time requiring the consideration of the Assembly.

3. Discussion of Resolution on State *versus* Company management of Railways.

Wednesday, the 28th.—The discussion of that Resolution will be continued, if necessary, and a Resolution by the Honourable Mr. Innes will also be taken up recommending the acceptance of the Railway Finance Committee's proposals in regard to Railway finance.

Thursday, the 1st of March.—Is already fixed for the presentation of the Budget.

Mr. President: Before we adjourn for Lunch, I may inform the Assembly that Resolution No. 2 standing in the name of Mr. Manmohandas Ramji will not be moved and therefore we will proceed, after Lunch, to consider the Resolution standing in the name of Rai Bahadur G. C. Nag.

The Assembly then adjourned for Lunch till Forty-Five Minutes Past Two of the Clock.

The Assembly re-assembled after Lunch at Forty-Five Minutes Past Two of the Clock. Mr. President was in the Chair.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, two Messages have been received from the Secretary of the Council of State. The first one runs as follows:

'I am directed to inform you that the Council of State has at its meeting held on the 22nd February 1923, agreed, without any amendments, to the Bill further to amend the Indian Factories Act, 1911, which was passed by the Legislative Assembly at its meeting of the 10th February 1923.'

The second Message runs as follows :

' I am directed to inform you that the Bill to provide for the payment by certain classes of employers to their workmen of compensation for injury by accident which was passed by the Legislative Assembly at its meeting on the 6th February 1923, was passed by the Council of State at its meeting on the 22nd February with the amendments indicated in the attached statement. The Council of State requests the concurrence of the Legislative Assembly in the amendments.'

RESOLUTION RE STATUS OF INDIAN SETTLERS IN KENYA.

Rai Bahadur G. C. Nag (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, I rise to move the Resolution that stands against my name on the agenda. But before I do so, I should like to say a word by way of personal explanation. I fear Honourable Members are somewhat surprised to see me get up to move this particular Resolution in this House; they see me get up very seldom to speak. I am not one of those who are fortunate enough to catch the eye of the Honourable the President. That privilege belongs to those of my friends—the big guns—who adorn the front benches on this side of the House. I have never regretted this arrangement, and I would not regret it to-day, if any one of them, and not I, had the charge of this particular Resolution. But by a freak of fortune, the task of moving it has fallen on me, and I shall perform that task, with your permission, Sir, as best as I can, taking up as little of the time of the House as possible. The Resolution runs as follows :

" This Assembly recommends to the Governor General in Council to be so pleased as to convey to His Majesty's Government the view of the Assembly that no settlement regarding the political rights and status of the Indian settlers in the Crown Colony of Kenya would satisfy the people of India unless the Indians in Kenya are granted equality of status with European settlers; and it views with indignation the reported threats of violence on the part of the latter; and it fully trusts that His Majesty's Government will take effective steps to prevent any such outbreak and to afford them the necessary protection."

Sir, the position of the Indians in Kenya is so well known to Honourable Members of this House that I shall not weary them with a long history of the events that have led up to the present critical situation in that Colony. I need not go beyond the year 1920. I shall take as my starting point the Government of India Despatch of the 21st October 1920. In that Despatch to the Secretary of State for India, the Government of India discussed the case of the Indian settlers in Kenya. There were four points in issue: (1) the reservation of the high lands for Europeans; (2) the restrictions upon fresh immigration; (3) the segregation of Indians in township areas; and (4) the franchise question.

The above questions were carefully examined in the Despatch referred to, and the Indian case was presented to the Home Government with a wealth of facts and arguments which left nothing to be desired. The claim made by the Government of India as to status on behalf of the Indians in Kenya was that they should share with the European settlers on a common franchise the right of electing Members of the Legislature, and of the municipal bodies, and that there should be no discrimination against Indians as such as regards other rights which those settlers enjoyed. The Joint Committee of the House of Parliament on Indian Affairs then considered the same questions. They heard witnesses representative both of the European settlers and of Indian opinion in Kenya.

[Rai Bahadur G. C. Nag.]

They also had the advantage of the evidence of official witnesses connected with Kenya, and of Sir Benjamin Robertson, who visited the colony on behalf of the Government of India. The Under-Secretaries of State for the Colonies and for India also attended the Committee and explained the present attitude of their respective Departments. Having got all these materials before them, the Committee proceeded to review the proposals made by the Government of India in their Despatch of the 21st October 1920. Now having all these materials before them, having done all this, they simply recommended the acceptance of the general principle which the Government of India had already laid down, namely, that there was no justification in Kenya for assigning to British Indians a status in any way inferior to that of any other class of His Majesty's subjects. But it was only a principle; and nothing but a principle that was affirmed here. Their recommendations did not go beyond this. They said that, sitting in London, they could not estimate with accuracy the depth of feeling which ranged itself behind the widely-divergent views held in the Colony on the several points at issue. They urged that some impartial body should visit Kenya and formulate detailed proposals as regards those points. It was now the turn of the Secretary of State for the Colonies to take the matter up and come to a final decision. He, however, set his foot upon the proposal of sending any Royal Commission to Kenya. A Royal Commission would only accentuate racial ill-feeling and serve no useful purpose. That was probably his view. I may say here in passing that it

was for this identical reason that the appointment of a Royal Commission on the Public Services of India at this juncture is objected to by us. The Secretary of State for the Colonies having vetoed the recommendation regarding sending a Royal Commission thought of bringing about a settlement of the questions at issue by agreement. As a stage in that process on the 16th June 1921, the Government of India issued a Press Communiqué for the information of the public:

"It is announced for general information that intimation has now been received from the Secretary of State for India that His Majesty's Government has decided that, pending its decision on the general question of policy raised in the above despatch, the Kenya Government should adopt in controversial matters a policy of marking time. In order, therefore, that there may be no appearance of pre-judging, while it is under consideration, the question of segregation, it has been decided to re-commit the Public Health Ordinance recently passed by the Kenya Legislative Council with the omission of the segregation clauses to which objection has been taken. In pursuance of the same policy, the notice of the 12th October last creating a European Reservation in Mombasa has been withdrawn, and it has been decided that no other reservations should be proclaimed and that no sales of township plots should be held in Kenya at which Asiatics are excluded from bidding."

And four months later we are told in another Press note issued by the Government of India that the Governor of Kenya had been advised to make an *interim* announcement on 17th October in the following words:

"No hasty action will be taken and in any event no radical changes of the existing constitution will be made until the end of the period of three years when the existing Legislative Council will normally be dissolved. Further, I am prepared to nominate one Indian Member to my Executive Council, and after consulting with the local Indian Association, to nominate four Indians to the Legislative Council in lieu of the two at present provided for; this only as an *interim* measure pending settlement of the main policy."

I would invite the attention of Honourable Members to this significant announcement. If they would read what is transpiring now in Kenya in the light of this announcement, they would at once see that His Majesty's Government, instead of springing upon the parties concerned with the

terms of settlement they had decided upon, thought it expedient to let them trickle down bit by bit. This was in October 1921. There was then a lull in the atmosphere for some little time. It would seem that the Colonial Secretary wanted to see the effect of the *interim* announcement upon the minds of the parties concerned, and to create an atmosphere of calm for announcement of his final decision on the other points at issue. We come then to January 1922,—the date of the East African dinner, at which Mr. Winston Churchill, the then Secretary of State for the Colonies, delivered his ever-memorial speech, and announced that the reservation of the highlands for Europeans was a settled fact, that further immigration of Indians should be limited, and that nothing should be done to prevent the development of Kenya as a "characteristically British Colony." He also laid down that the application of the equal rights theory, emphasised by the Imperial Conference of 1921, should depend upon local circumstances, in other words, a doctrine which was essentially immoral but which the strong ever urge against the weak. The Honourable Members need only recall the pain and indignation caused in India by that speech of the *ex*-Secretary of State for the Colonies. By a strange coincidence, this Kenya question is coming to be a question of perennial concern to us in this House. It was on the 9th February 1922, that the House discussed the situation in Kenya created by that speech of the *ex*-Secretary of State for the Colonies, and adopted a Resolution conveying its protest against his pronouncement,—a Resolution which was accepted by the Honourable Mr. Sarma on behalf of the Government of India. Let me acknowledge here this fresh proof of the Government of India's readiness ever to champion the cause of our countrymen overseas, and of their endeavour to do all that the political self-respect of this country demands.

To continue the thread of my narrative, the period of three years from the election of the existing Legislative Council lapsed on the 20th of this month. His Majesty's Government had, therefore, to announce their decision regarding the status of the Indians in the Colony on the franchise question, and that immediately. Accordingly a Despatch was sent to the Colony early in January last, and it was the announcement conveyed in that Despatch of the terms of settlement which has brought about the present ferment in the Colony. We were told in one of the earliest messages received in this country of the uncontrollable anger of the white planters at the reported satisfaction of the majority of the Indian demands. I shall tell you presently what these demands were, and how far they have been satisfied. In another message we were told that the Governor had met the representatives of both sides behind closed doors (mark these words) when he informed them of the proposed terms of the Indian settlement. These terms were—common voters' roll that would include 10 per cent. of the Indian population. Constituencies were so arranged as to allow for seven or eight Europeans, and four Asiatics. Indians were to get some form of municipal franchise. There was to be no embargo on immigration at present. Highlands were to be reserved for Europeans. This was all. I would remind the House that so far back as January 1922, the *ex*-Secretary of State for the Colonies had already declared that the Highlands were to be reserved for the Europeans, while so far as seats on the Legislative Council go, there too the Indians were allowed nothing new. There were already four Indians as members by nomination, the only change being that what they had got by nomination was now proposed to be secured to them by election. There was, therefore, no net gain at all. The seats likely to be available to Indians under the proposed

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scheme of franchise appear to be only half of the seats enjoyed by the Europeans. As for municipal franchise, nothing is known to us beyond that they are to 'get some form of it.' Thus so far as the actual terms of the proposals under discussion go, they are, judging from the report received, a poor fulfilment of the Imperial Conference Resolution of 1921. It is further reported that Sir Robert Corydon, the Governor of Kenya, has notified the Secretary of State for the Colonies of his "disinclination to give effect to the proposals while the settlers are threatening Indians with violence and blood-shed if the policy of equality is enforced." One message dated the 25th January read as follows:

"The position in the country districts as regards Indian questions is extremely acute. A number of meetings of settlers in various centres have been held at which strongly-worded Resolutions were passed to the effect that the granting of the Indian claims would be resisted by any methods which were considered desirable."

There were other messages on similar lines. But I would not dilate upon this sickening story. To borrow an apt expression from the "Leader," the whites are rattling their sabres to exterminate the Indian community root and branch. We are told that the Indian community in marked contrast with the haughty attitude of the Europeans is keeping its head cool, and has been maintaining an attitude of non-violence in the face of this grave provocation. They have abandoned all measures which they intended to launch as a protest to create an atmosphere of calm. This news gave us great relief, although it gave us an insight into the character of the white settlers, who appear to be so unscrupulous as to be prepared to shed innocent blood in order to prevent an act of justice being done. We are further told that they have agreed to accept the terms offered by His Majesty's Government as a compromise. It would appear that in doing so they are making a great sacrifice of their just and reasonable claims for the sake of facilitating an amicable settlement. To show the House what this sacrifice amounts to, I shall read two extracts from the reports to which I have already referred. This is what the Government of India say in paragraph 9 of their Despatch:

"We have no exact figures to show the relative positions of the different communities, but we are informed that the population and the incidence of municipal taxation are roughly as follows:

	Population.	Municipal taxation. Rs.
Europeans	2,000	70,000
Indians	5,000	1,20,000

Again, this is what the Joint Committee's report says.

What the Indians ask for is the adoption of a common electoral roll and a common franchise on a property basis with an educational test:

"But it (the claim) was strongly objected to by some of the witnesses on the ground that, as the Indians outnumber the Europeans by more than three to one (about 30,000 to 8,000 or 9,000), a Common Roll, even with a restricted Franchise, would, if not immediately, before long, give a majority to the Indians and create a situation which the Europeans could not accept."

It would appear from the figures quoted that the representation to be given to the Indian Community under the proposed scheme falls far short of their just claims. Yet, it is these terms which have brought about the present critical situation in Kenya. We are told that the Governor of Kenya has turned a non-co-operator and refused to carry into effect the terms of settlement arrived at by the Colonial Office, and the latest report is that the

election which was to take place this month has been postponed *sine die*. It is even suggested that there is a possibility of the Colonial Office being brought to substitute "more moderate proposals." Sir, I cannot vouch for this report. Let us believe that there is no prospect of such a breach of faith so long as Mr. Ormsby Gore is Under-Secretary. But if there was any truth in this report, I need hardly point out the disastrous effect upon Indian opinion which looks upon the case of Kenya as the crucial test of the sincerity of the British Government in matters affecting the welfare and status of Indians overseas, if, under pressure from a Governor amenable to local influences, and European settlers who threaten violence and who are so blinded by selfishness and racial prejudice as to be unable to understand the very elements of Imperial obligations, the Resolution of the Imperial Conference should not be given effect to. Sir, when Indians going to self-governing Colonies are ill-treated and are denied the rights of equality, it is pointed out to us that the British Government are ever anxious to secure for Indians over-seas the same treatment to which other subjects of His Majesty are entitled, but the difficulty is that the people of a self-governing Dominion cannot be coerced into granting equality to Indians and that they are powerless to exert any influence other than moral persuasion in attaining their object. It is a very plausible argument, no doubt, there. But has it any force in the case of a Crown Colony like Kenya? Here His Majesty's Government are not powerless to enforce their will; yet, what do we find them doing at the present juncture? Sir, during the last debate on Kenya in February 1922, two non-official European Members of this House (I regret the absence of Sir Frank Carter, and Mr. Spence from this House to-day) solemnly assured us that the chief obstacle in the way of Indians not getting a status of equality in East Africa was the non-co-operation movement in India. Sir, at the time when this opinion was given expression to, even then it seemed to many of us to be far too fanciful to require any serious refutation. Can any of them honestly say to-day whether the present attitude of their countrymen in Kenya is due to the political troubles in India?

Sir, one word more and I have done. We were told the other day while the Racial Distinctions Bill was being introduced that His Majesty's Government insisted on Colonials being included in the definition of "European British subject" in that Bill, because they believed that thereby they would be in a better position than now to obtain for Indians overseas an equality of treatment. This argument, plausible enough, never appealed to us with any force in view of the present attitude of the Europeans against Indian settlers in Kenya. Nevertheless we have yielded to the persuasion and placed the Colonials upon a privileged position in the matter of criminal trials in India. May we not ask His Majesty's Government now to carry out the pledge given to us in this connection and admit the Indians to the privilege for which they have been fighting in Kenya? If, instead of this, they incline to a settlement in the spirit of Mr. Churchill, such a decision would be considered as a dishonourable repudiation of the solemn pledges made to India and would further complicate the political situation in this country. I am sure it is not too much to say that the civilised world has been watching with close attention the action of the British Government in Kenya as to how far they are prepared to carry out and make effective the pledges subscribed to in the Imperial Conference. However, there the matter stands for the moment. We in this House have a duty to perform at this juncture and that duty is to give expression to our feelings in the matter; and when we have given expression to them

[Rai Bahadur G. C. Nag.]

in no uncertain terms, our duty is done. Sir, I commend my Resolution to the House.

Khan Bahadur Sarfaraz Hussain Khan (Tirhut Division: Muhammadan): Sir, I need not further dilate on the matter after what has been said by the Honourable Mover of the Resolution. I will simply place this fact before the House, namely, that in January 1920, Lord Chelmsford's Government took a stand upon the constitutional principle that in a Crown Colony British Indian subjects should have the same status as any British settler. That is what Lord Chelmsford's Government thought. In September 1920, His Excellency again announced that the Government had strongly pressed the justice of the Indian claim upon the Home Government. Now, I on my part take my stand upon this announcement of the Government of India. The facts have already been as stated by me placed before the House by the Honourable Mover of the Resolution. What I want is that the claims of the Indian settlers in Kenya should not be allowed to be ignored by European settlers there. My amendment is the same in substance. I simply make some changes in the Resolution. The Resolution says that this Assembly "views with indignation the reported threats of violence on the part of the latter." My amendment runs thus:

"That between the word 'convey' and the words 'to His Majesty's Government' the words 'by telegraphic message' be inserted; and for the words 'equality of status' the words 'full and equal rights of citizenship' be substituted."

I consider that the insertion of 'telegraphic message' and the substitution of 'full and equal rights of citizenship' for 'equality of status' will better express our meaning and I move my amendment.

Mr. President: Amendment moved:

"That after the word 'convey' the words 'by telegraphic message' be inserted."

The question is that that amendment be made.

The motion was adopted.

Mr. President: Further amendment moved:

"For the words 'equality of status' the words 'full and equal rights of citizenship' be substituted."

The question is that that amendment be made.

The motion was adopted.

Sir Deva Prasad Sarvadhikary (Calcutta: Non-Muhammadan Urban): Sir, we shall be doing much less than our duty if we fail to carry this resolution unanimously, if possible. After the very unedifying inter-provincial recriminations this morning, it comes as a welcome change that all provinces and all sections of the Indian community should combine in expressing their indignation with regard to what has been done and is being done to their countrymen in one of the Colonies nearest to India. There is a fitness of things almost in this Resolution coming on soon after our determination at the instance of Members of the Government to be conciliatory to the Colonies. To a certain extent Indian feeling and opinion is being reconciled—I hope not merely temporarily, and irresponsible misdoings are at a discount.

We have been told that if we refrain from retaliation and reprisal, the chances of better understanding between the Colonies and India, will be furthered and Government will have a stronger hand in handling the

situation. We agree. And here, Sir, our obligations are due and ought to be expressed fully and freely that so far as the Government of India are concerned, all that it can possibly do, has been done and is being done in order to get our Indian fellow subjects abroad a measure of justice. That it has not yet come is as much our misfortune as that of the Government of India, but if it is further delayed, the Indian people will, with confidence, appeal to the Government of India to stand by them when they propose to take their own measures in the matter. Mr. Nag has described the Kenya question as crucial. So it is in certain matters. Sir, colonization from Europe is of somewhat recent date. In the Asiatic seas, at all events, navigation from India is not a matter of quite recent growth, Indians have been long colonizing islands and continents not far from her coasts. Till only recently the difficulties had not arisen. When a Washington Court declares that none but a free white person, whatever that may mean, and none who happens to be of full Indian blood can enjoy citizenship and when it goes the length of depriving an Indian of such rights after many years of enjoyment, possibly, we cannot ask Government to take steps against what the United States courts or the United States Legislature may be doing though we may expect a representation. With reference to the bigger self-governing dominions and Colonies when measures of justice are demanded on our behalf we shall be told, as we have been told in the past, that Government can do little, for they have their own laws and regulations and Government is powerless. Shall the same thing be said with regard to Kenya, one of the very recent growths,—a Crown Colony—where there are not the same vested interests and long usage claimed by the bigger Dominions and Colonies? We are all waiting, not with impatience, but with great patience, the outcome of the mission of the Right Honourable Mr. Srinivasa Sastri abroad. We are hoping for the best of results; but in Kenya which is differently situated, there is an opportunity for some of the corresponding results being anticipated and some consequences of the semblance of those emanating from the Sastri mission ought to emanate. It does not matter whether the Right Honourable Mr. Srinivasa Sastri was able to visit Kenya or not; the position there is stronger, the principles are the same and the objects of the mission would be applicable to Kenya. It is impossible to shut our eyes with regard to what is going on in Crown Colonies like this. It is not merely agitators and fire-eaters and various other persons who are accustomed to be grouped under nomenclature of a disagreeable kind, like that who are feeling in this manner. Staid, sober bodies have begun to resort—bodies like the Indian Merchants Chamber in Bombay and the Municipal Corporation of Calcutta,—I mean Madras (I wish Calcutta would join soon, the slip of my tongue is almost a sort of prophecy; I am not sure that it will not join). These business people, staid business bodies are being supremely exercised over what is happening, and the people cannot and will not give themselves rest till justice is secured. We cannot appeal to the Government here. It is doing as much as it can. I am sure it will go on doing much more, but we must strengthen the hands of the Government and make it absolutely clear to those in authority abroad that, until this matter of justice is vouchsafed to us, there will be no rest in India, so far. Sir, if for a moment one may go back to what is now becoming ancient history, what was the origin of the feelings of Mr. Gandhi which is now being visualised in untoward results? Let us recall for a moment the treatment to which our fellow countrymen were subjected in South Africa, the results of which we are reaping. Shall we go on reaping results like that, or will statesmanship prevail and put an end to this state of things? Mr. Winston

[Sir Deva Prasad Sarvadhikary.]

Churchill has been referred to. He had forgotten his own previous utterances and belied them. Now none so poor as to excite worse commiseration. In Mr. Ormsby Gore our faith is large. He knows India, from a distance no doubt, as a Member of the Joint Parliamentary Committee, he has had knowledge of Indian feeling in regard to the matter. But I am very much afraid, Sir, like the Government of India the Colonial Secretary by himself is more or less powerless. A united demand and a united effort between the Government here and the India Office, as well as His Majesty's Government is necessary to put these things right. It shall not be, it should not be said that in His Majesty's Empire differentiation of a galling kind like this goes on perpetually. Those who are anxious to be within the Empire ought to have their hands strengthened, not the least by measures like those we advocate in this connection. This Resolution wants the sense of our indignation and our protest to be conveyed. That is the least this Assembly can do, and we shall be doing less than our duty if we do not unite in sending, in a constitutional manner, to His Majesty's Government an expression of our feeling in the matter. We have a clear duty and we ought to do it manfully.

Dr. H. S. Gour (Nagpur Division: Non-Muhammadan): Sir, if there is one part of the British Commonwealth where the Indian has an equal right of treatment with the British settlers, it is Kenya. This is a Colony which was legally and formally constituted only in 1920. Honourable Members know, that, so far as the self-governing Colonies are concerned, we have been told, and it is a fact, that they have been granted a Parliamentary constitution under which they are entitled to make their own laws regarding emigration. But so far as Kenya is concerned, it is the youngest of British Colonies, and what is more important, it is a Crown Colony. These two words may not symbolize much to an ordinary man in the street, but any one who is conversant with the elementary principles of constitutional law will recognise what these words imply and import. They mean that the Colony is under the direct rule of the Crown, and the Crown can take no sides nor be guilty of racial or political partiality. The position, therefore, so far as the Indians are concerned, is this. In this Crown Colony is His Majesty and for him His Majesty's Government administering the Colony in the name of the Sovereign and the Crown, entitled to make differential laws regulating one class of the British subjects in contradistinction to the other class of His Majesty's subjects. This is a grave constitutional question which does not affect merely the Indians in Kenya but will shake to its very foundations those fundamental principles upon which the entire fabric of the British Commonwealth is based. Sir, this is a question which cannot be lost sight of. It should be a point of honour with the British Government that the Crown Colony of Kenya shall not be the Achilles heel of the British Commonwealth, that it shall not be the festering sore which will be used by the enemies of the British Commonwealth to impair and destroy it. What will the people at large say? They will say: "Here is a Crown Colony in which the Sovereign administers the laws and regulates the affairs of the people, where he has allowed the people of India the humiliating position of helots of the Empire and as a subject people." That, I submit, is the situation which would be created by giving the Indians the inferior status proposed by the Governor of Kenya.

But, Sir, I do not put the position of Indians in Kenya upon this broad question of constitutional law. I appeal to another sentiment, that of

Imperial policy and international justice. We have been told that India has been admitted into the comity of nations and has been assigned a place in the League of Nations as a partner in the British Empire. Would it be in consonance with the honour of the people of this country and the dignity of this vast Empire, if its people are assigned a position of marked inferiority in this youngest of British Colonies? As I have said, Sir, the question is not merely a question of law or of international justice; it is a question of broad British policy, which, I submit, must be regulated in connection with Kenya on the intrinsic and basic principle of justice. But, Sir, when I shall show to the House that in this case it is easy to combine justice with expediency, I think we shall have made out an unanswerable case. Now, Honourable Members know that on the last occasion when we debated this question we were told that the population of European settlers in Kenya was about 9,000 as compared with 36,000 Indians. But that is not the sole point. As Mr. Winston Churchill in his book "My South African Journey" pointed out, Indians were the pioneers and, in fact, the makers of modern Kenya. In his book he wrote:

"It was the Sikh soldier who bore an honourable part in the conquest and pacification of these East African countries. It is the Indian trader who, penetrating and maintaining himself in all sorts of places to which no white man would go or in which no white man would earn a living, has more than any one else developed the early beginnings of trade and opened up the first slender means of communication. It was by Indian labour that the one vital railway on which everything else depends was constructed. It is the Indian banker who supplies perhaps the largest part of the capital yet available for business and enterprise and to whom the white settlers have not hesitated to have recourse for financial aid. The Indian was here long before the first British officer. He may point to as many generations of useful industry on the coast and inland as the white settlers, especially the most recently arrived contingents from South Africa, the loudest against him of all, can count years of residence. Is it possible for any Government with a scrap of respect for honest dealing between man and man to embark on a policy of deliberately squeezing out that native of India from regions in which he has established himself under every security of public faith."

(*Sir Deva Prasad Sarvadhikary*: "He forgot all that.") Well, Sir, this is a clear announcement of the position and case of Indians in Kenya. We, the people of India, cannot put their case in clearer or stronger terms; and these words were written by the late Colonial Secretary, Mr. Winston Churchill, whose sympathies for India are by no means marked.

Now, Sir, another point in connection with Kenya which is often forgotten is this. Kenya is a vast territory on which certain European settlers had pegged out their claims for future development, immediately after the war, with the war money. A very large number of military officers and men were told that Kenya was a very fine Colony to settle down in, and they went to Kenya and there purchased large pieces of land in the hope that they would be able to colonise it. They very soon discovered that labour would be scarce and that the conditions were not such as were favourable to European settlement, and many of them then applied to the Government for the sale of their lands and begged that they should be allowed to clear out of the country by selling their holdings to Indians and other Asiatics. Sir Robert Buchanan, M.P., who visited South Africa, on his return wrote a small brochure in which he faithfully described the condition of Kenya and of its white and brown settlers. There he pointed out that it is a country which was quite suitable for Indian settlement and where European settlers, deprived of the ordinary amenities of life, are not likely to settle down in large numbers in the way in which it was suggested that they should settle down in that colony. I therefore submit that the question of Kenya is one upon which the

[Dr. H. S. Gour.]

Imperial Government must exhibit some degree of firmness. It is a question not merely of political justice but of economic equity. It is a question which does not depend so much upon the placating of old settlers in a self-governing Colony, but of a few straggling exploiters who went to that Colony and would be very happy to get out of it as soon as they can. Now, Sir, what is the position? We are told that a certain English nobleman who is imbued and inspired by Imperial sentiments, or rather Imperialistic sentiments, is anxious to preserve this vast highland of Kenya for the benefit of white settlers, still unborn, and that he is therefore anxious to commit the Colonial Office to the policy which obtains in other self-governing Colonies of the British Empire. The question therefore is, Sir, not of Indians *versus* the present white settlers of Kenya, but a question of Indians *versus* the future would-be settlers in that Colony from England and other white countries: the certainty of Indian settlers who have got vested interests, who have acquired property and who have thriven well on the product of their industry, on the one hand, and on the other a remote, phantom possibility of developing this country as a white colonial settlement: these are the questions and I have no doubt that the British Government should have no hesitation in deciding that Indians shall not be squeezed out of this Colony where they have established an indubitable right to stay and acquire all the rights of a British citizen. Sir, I have great pleasure in supporting this Resolution.

Sardar Gulab Singh (West Punjab: Sikh): Sir, the amendment that stands in my name runs as follows:

“For the words ‘it views with indignation’ substitute the words ‘this Assembly records its indignant protest at’.”

Sir, from what I have heard on the subject of the Resolution before the Honourable House both on the platform and in the press I find that there is a strong feeling in the country against the present situation in Kenya, and the wording of my amendment would signify the sense better and improve the expression in question in point of force. I move my amendment.

The motion was adopted.

Mr. Jamnadas Dwarkadas (Bombay City: Non-Muhammadan Urban): So far as I understand the Resolution, it aims at three specific things. The first is that it re-asserts the right of equality of citizenship of the Indian settler in Kenya. Now, I do not think this Assembly wants anything new to be done in re-asserting that claim. That claim has been re-asserted once in this Assembly and this right of equal citizenship has been recognised by the Imperial Conference of 1921, by a Resolution that was passed at that Conference. Any encouragement to the effort of going back on that Resolution would, I think, be detrimental to the interests of the Empire. As a matter of fact the carrying out of that Resolution is the acid test, as it is said, of the being of the Empire and this Assembly does not want anything which already Indians do not possess by right or which has not been recognised by the Imperial Conference in re-asserting this right of equality of citizenship.

The second thing that this Resolution wants is that it wants to protest against—it wants to show its indignation and it wants to protest against the threats of violence of the white settlers in Kenya. Now it is to this point that I wish to confine my remarks. The effort of the Colonial Secretary to give to the Indian settlers their due, namely, the right of equality of

citizenship has met with a protest from the white settlers. It is likely that that threat might have some effect on the Colonial Secretary. Ought it to have any effect? What would be the result if this threat succeeds in having an effect on the Colonial Secretary so as to affect the decision that the Colonial Secretary was going to take with regard to giving the right of equality to Indian settlers? The effect would be the same perhaps as it would have been if the threat of civil disobedience in this country had compelled the hands of Government to give all kinds of reasonable and unreasonable demands to the Indians in this country. Now you will admit, Sir, that even in the claim made by the most extreme section of Indians in this country there was some justice. That claim arose from a natural desire on the part of Indians to manage the affairs of their own country, and the indignation that we saw existed in India was due to the injustice, supposed or really existing, that was done to Indians in certain matters. But even where the claim was just to a certain extent, as soon as the question of a threat came up before the Assembly, and as soon as an attempt was made to bring about the carrying out of that claim by means of a resort to methods that were not constitutional—well, this Assembly stood by the Government of India and said "No." Wherever there is an attempt to resort to unconstitutional measures, there the Assembly will help the Government in putting down those who in season and out of season hold out threats against the Government. A worse situation has arisen in Kenya. There is injustice in the claim that is made by the white settlers. There it is a threat which if carried out would disturb the peace and tranquillity of the whole Colony of Kenya. Not only that, but if the Government yielded to that threat and refrained from doing justice to the claims of the Indian settlers, then the Government would justify the disloyalty to the idea of Empire that ought not to be allowed to grow within the nations that form the Empire. Therefore, although in India there was to a certain extent a justifiable claim, in Kenya there is no justice in the claim that is made by the white settlers and the effect of yielding to the threat held out by the white settlers would be the same as the effect of yielding to the threat of those who wanted to resort to civil disobedience would have been in India. The position here is better inasmuch as the claim was just, the position there is worse inasmuch as the claim of the white settler is not just. I claim therefore that His Majesty's Government will show the strength that is necessary for putting down the white settlers if they resort to violence and for giving them a clear understanding of the fact that no such threat will avail with His Majesty's Government. With these words I support the Resolution.

Dr. Nand Lal (West Punjab: Non-Muhammadan): The genesis and outline of the whole question, that is being debated upon now, has been given by the Honourable Mover and I do not propose to go into those things. I will offer a few observations so far as the question before the House goes. Now, Sir, there are a number of bonds of affection and love between two peoples, and I think one of them is this that they are subjects of one and the same Sovereign. It is regrettable to see that the European settlers in Kenya did not realise the force of this bond of affection. So far as we the Indians are concerned, whenever a fit occasion arises we, so far as we can do so, welcome them to the status of equality. But when we ask for something from the Colonies I am sorry to say that they do not give us a proper response. We are very greatly indebted to the Government of India for what they have been doing for us. But I may tell them that we have not attained that object which we endeavoured to attain to and the

[Dr. Nand Lal.]

treatment which has been meted out to our Indian brethren in Kenya, compels us to move this Resolution before this House. Sir, one of the most important things which has to be seen and appreciated by the Sovereign is this that there should be peace and contentment amongst his various subjects. Now, this threat, which has been given to our Indian brethren in Kenya recently, goes to show that that peace and contentment can never be maintained and therefore it is one of the most important duties of the Crown to see that the Indian's desires and the Indian's wants are attended to adequately. When we are given the status of Membership of the League of Nations, we ask the Empire to give us that status practically and not theoretically. It should not remain on paper, but it should be given a practical shape. That is our desire, and in pursuit of that desire we raise our voice, and I hope that our European friends here, whose speeches were characterised by fairness, on some occasions, will appreciate the soundness of the position taken up in this Resolution and I trust that this House including the Treasury Benches will give their support to this Resolution as I do, wholeheartedly.

The Honourable Mr. B. N. Sarma (Revenue and Agriculture Member):

There is very little that the Government have to say with regard to the merits of this Resolution except that they reiterate that their policy with regard to the Indian question in Kenya is the same as has been explained to the House on more than one occasion. They have stood up for the full rights of citizenship and they do stand for the same position now. Negotiations had been in progress between the Colonial and the India Offices on this question and we hope that the agreement which has been reached would be satisfactory to all parties concerned. The Government have noted the indignation which has been roused throughout India by the reported threats of violence on the part of the wilder elements amongst those who are dissatisfied with the settlement which was communicated or which was stated to have been communicated to the Colonials in Kenya. But I hope that this House will not act upon these reported threats or take serious notice of any temporary excitement which might have been caused when hopes which had been entertained in any particular quarter were disappointed. Honourable Members would have noted that it was in the early part of January that we heard so much about these reported acts of violence. We are now towards the end of February and barring one or two telegraphic messages which Reuter has cabled here, we see nothing to justify any real apprehensions being entertained by any reasonable person on this subject of the attitude of the Europeans towards their Indian fellow subjects. It cannot be denied that unfortunately, racial passions run high in certain parts of Africa. But His Majesty's Government's policy has been steadily to set their face against the encouragement of any such differences between the various communities which have settled down in the different parts of His Majesty's Empire. We must recognise that the Europeans who have settled in Kenya rightly or wrongly feel that certain privileges or certain rights were conferred upon them in the matter of settlement in the Highlands at the time those Highlands were assigned to them. I am not now arguing the question on the merits, but we must recognise that when a race which is characterised by vigour, by adherence to what it conceives to be right, feels disappointed in any particular with regard to those rights, it is likely to be upset slightly, and hence those reports that have reached India. No responsible Britisher, no responsible Association could ever have contemplated any acts of violence at all

against the Indian community and we have reason to believe that no Europeans ever entertained any thought of injury to any of his Indian fellow-subjects because he was disappointed or he thought he would be disappointed by any policy that was being pursued by His Majesty's Government. It may be that in the violence of passion a few individuals here and

4 P.M. there expressed themselves in language which was calculated to convey the impression that they would not stand by any decision that might have been reached by His Majesty's Government but we who have been noticing in India the violence of political passions can readily recognise the attitude of some of the elements which might have felt themselves to have been injured or wronged by His Majesty's Government's policy. I therefore suggest to the House that we should treat with contempt any of these alarming reports that may reach here as to the attitude of a few individuals or the threats that may have been impliedly conveyed by a few individuals in the matter, but I may assure the House that from all we hear from East Africa no responsible Europeans ever contemplated or can ever contemplate an act so detrimental to their own interests and to the interests of the Empire and so inconsistent with the traditions of a proud and just race. On the main and essential question the Government of India have been fighting for the assertion of equality of status and full rights of citizenship. I have already said that our attitude is what it has been always—fully sympathetic with the claims of the Indians settled in Kenya. We have not been idle in communicating to His Majesty's Government the feeling of dismay and indignation which has been roused in all quarters in India by Reuter's messages. The Honourable Khan Bahadur Sarfaraz Hussain Khan proposed that we should telegraph this Resolution of the Assembly. He need not have cautioned us in that manner to do our duty, because I may assure the House that we have been spending the tax-payer's money freely in the past in conveying speedily the views of this Assembly and of the Government on matters vitally affecting the interests of our fellow-subjects in Kenya. Dr. Gour has alluded to a supposed statement of the Governor of Kenya that as a matter of compromise Indians might be satisfied with an inferior status, if I have heard him correctly. We have no reason to suppose that His Majesty's Governor in Kenya made any such suggestion and I shall leave it at that. He has also informed the House

Dr. H. S. Gour: May I point out to the Honourable Member, it was in the Reuter's telegrams a few days back that the terms of the settlement were that the Highlands will be reserved for Europeans and that Indians had accepted that position.

The Honourable Mr. B. N. Sarma: The Resolution deals with the question of full rights of citizenship and I was alluding to that particular aspect. On the question of the Highlands the Government of India hold the same views that they held and I may say that no one in this House would deprecate any reasonable compromise that may be arrived at between the different sections of the community settled in Kenya. I think we should all rejoice if the Governor be successful in his persuading both the British and the Indian settlers to come to a reasonable compromise without any sacrifice of principle on the part of the Indian community on the essential questions on which they unhappily differ at the present moment. Therefore, Sir, without abandoning the vital principle of equality and full rights of citizenship I think this House should support the Government in trying to effect a compromise between the various sections settled in Kenya and we are looking forward with hope that as a result of

[Mr. B. N. Sarma.]

the patient policy which has been followed by the Government of India and His Majesty's Government such a desirable result would be achieved in the not distant future. I hope that the information which Dr. Gour has received as to the attitude of the white settlers in being desirous of selling their lands in the Highlands to Indians is accurate. I think nothing would please those who wish to promote peace in that country if that be the real attitude of those who have been occupying the Highlands. But we have no reason to think that the vast majority of the settlers in the Highlands at present entertain the idea of selling their lands to Indians or anybody else or quitting that land and therefore I cannot hold out any encouragement on that particular subject. It is unnecessary for me to allude to the varying claims which have been put forward on behalf of Indians and Europeans. The Government of India have always supported Indian claims and have always pressed upon His Majesty's Government how much of the prosperity of Kenya is due to the Indians who have been pioneers there and who have been struggling amidst difficulties, hardships and privations to better that country but it is unnecessary to deprecate in any manner whatsoever the achievements of the Europeans in that part of the country. It is the capital which has been employed by them also, their achievements in the past, their energy which has helped in making that land what it is. It is unnecessary in these discussions to dwell too prominently upon the achievements of Indians or of Europeans. We must give credit to both the communities for having loyally co-operated in the past in bringing about the desired result and we hope to look forward to equal unanimity and the same brotherly feeling which has characterised them in the past in promoting the prosperity of that country as an integral portion of the British Empire. We, who have watched with some interest the heat of the controversy which raged in India at or about the time when the reforms were about to be inaugurated, have a lesson which we might well apply to the conditions obtaining in Kenya at the present moment. It is the genius of the British race to fight hard, to fight insistently, to fight vigorously for what they conceive to be their rights. It is their genius to accept loyally the decisions which the Central Government may come to after hearing both sides of the question; and I feel quite sure that when the passions of the moment die down the love of justice, love of fair play, disciplined obedience to the central authority which has always characterised our European fellow British subjects, would enable them to rise to the occasion and loyally co-operate with His Majesty's Government in Kenya and the Indian subjects there in promoting the prosperity of the Colony; and I also feel sure that the statesmanship, the tact, the firmness, and the nerve, which have enabled this Empire to be built up and to be maintained at its present level will be equal to suppressing any disorders from any quarters in defiance of the authority of the Central Government. We can afford to despise the troublesome elements, whether such troublesome elements arise in Kenya, India or elsewhere, which are calculated to destroy the integrity and the solidarity of the Empire. We need have no apprehensions on the subject, and I think the House may well omit from the Resolution, if I may suggest so, the latter portion which refers to the feeling of indignation. But if it is the pleasure of the House that their indignation or indignant protest should be conveyed to His Majesty's Government, the Government of India have no objection whatsoever to do so.

Mr. President: The proposal has been made, but no amendment has been moved.

The Honourable Mr. B. N. Sarma: I only suggest to the Mover that he might leave out the latter portion, but I do not propose to move any amendment if the Mover is not agreeable to drop the words.

Rai Bahadur G. C. Nag: I want to let the Resolution go as a whole.

Mr. President: The question is:

"This Assembly recommends to the Governor General in Council to be so pleased as to convey by telegraphic message to His Majesty's Government the view of the Assembly that no settlement regarding the political rights and status of the Indian settlers in the Crown Colony of Kenya would satisfy the people of India unless the Indians in Kenya are granted full and equal rights of citizenship with European settlers; and that this Assembly records its indignant protest at the reported threats of violence on the part of the latter; and it fully trusts that His Majesty's Government will take effective steps to prevent any such outbreak and to afford them the necessary protection."

The motion was adopted.

Dr. H. S. Gour: May I take it, Sir, that this will be recorded in the proceedings as being carried unanimously?

Mr. President: There will be no record of a division in the proceedings, and therefore it will be seen that no one voted against the proposal.

Dr. H. S. Gour: There was an instance, Sir, in connection with Mr. Mohammed Ali and Mr. Shaukat Ali's case. You will remember, Sir, that when Sir William Vincent asked that it might be recorded that it was carried unanimously, I believe you promised to put it down that it was carried unanimously?

Mr. President: There is no objection to that being done in this case too.

The motion was adopted unanimously.

RESOLUTION RE SECRETARY OF STATE'S DESPATCH ON INDIAN AUTONOMY.

Rao Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban): Sir, I beg to move the following Resolution which stands in my name:

"This Assembly recommends to the Governor General in Council that he will be pleased to convey to the Right Honourable the Secretary of State for India the Assembly's feeling of extreme dissatisfaction at his despatch, dated the 2nd November 1922, regarding the Assembly's Resolution dated the 29th September 1921."

Sir, the Right Honourable the Secretary of State apparently expected this Assembly to take some action on his famous Despatch of the 2nd November 1922, for in the concluding paragraph of that despatch he says: 'I shall be glad if Your Excellency's Government will cause copies of this Despatch to be laid on the table of both the Chambers of the Indian Legislature.' Sir, he may rest satisfied that not only the Despatch, copies of the despatch, have been laid on the table of the House, they have also been included in the proceedings of the Legislature and printed very prominently in the proceedings of the 24th January 1923. If that is any satisfaction to His Lordship, let him have it. But, if he wants to know how the Assembly views it, it is not a feeling of disappointment, for we never expected anything better from His Lordship; it is one of extreme dissatisfaction, to put it mildly, with which we view his Despatch. Sir,

[Rao Bahadur T. Rangachariar.]

I have no doubt that His Lordship thought he was sending us a nice fruit for consumption. Though, Sir, the Government of India have taken some time to deliver that fruit to us, it requires not a large amount of peeling to expose the rotten nature of the fruit which has been placed before us. That rottenness is not due to the delay in the presentation, but it is due to the inner contents of the fruit itself. Sir, let me examine the Despatch somewhat carefully and with that respect which is due to His Majesty's Secretary of State. On reading it carefully, it appears to me that His Lordship has not even paid us the compliment of reading the debates which took place in the Assembly in connection with this matter. He has merely re-echoed sentiments which Mr. Montagu had to deliver himself of when he was on his defence in the House of Commons on the 14th February 1922. When that celebrated motion of censure on Mr. Montagu was moved in the House of Commons, he had to adopt the line, in order to get out of the scrape, of abusing both sides. That is a trick which most of us adopt in getting out of a situation, and that is the trick he adopted; and His Lordship, the present Secretary of State, has merely taken the trouble to embody those sentiments with which Mr. Montagu made his defence in another place. Sir, His Lordship says: 'In the first place, they assume that progress is impossible under the existing constitution'. Where did His Lordship get it,—that this Assembly assumed that progress was impossible under the existing constitution? On the other hand, Sir, if he had read the opening paragraph of the debates, he would have seen that in the Resolution as presented to this Assembly by my esteemed and revered friend, Mr. Jadu Nath Mazumdar—whose absence we regret to-day—he opened the first portion of his Resolution with a recommendation that the existing constitution, the full measure under the existing constitution, should be used and availed of for extending the constitution. The Resolution as finally adopted with the consent of the Treasury Bench (*The Honourable Sir Malcolm Hailey*: "No.")—I beg your pardon; it was unanimously adopted; no division on it was taken; there were no cries of "No" and it was adopted in accordance with the suggestion of the Honourable the Home Member. I think, Sir, the debate will bear witness to that statement. I do not think I need assert it. It is there in black and white, and no pen and no tongue can erase it. Sir, the Resolution as finally adopted by this Assembly recorded the impressions which were left on both of us who had to work this new constitution, both of us who had to wear the new constitution's costume presented to us from London. Some people refused to don that costume. But, Sir, we who wanted to co-operate with the Government put on this costume made by the London tailor in order to see whether his fame for making good-fitting clothes could be taken at its full value. Both the Executive and the Legislature put on the garment and it did not require much trial to find out whether the clothes fitted us or not. It does not require many trials to find out whether clothes fit us or not. One trial is enough. There is a vulgar saying, Sir, in the South of India among the agriculturists and the labouring classes, to the effect that one grain of rice from the pot is sufficient for the purpose of finding out whether the rice is boiled or not. One test was enough for us to find out that the new costume did not suit. That is how, after the first session, after trying honestly and earnestly to work the constitution, both the parties who had to wear it, the Executive and the Legislature—and I emphasise this aspect of the case—came to the conclusion, no doubt

early enough, in September 1921, that it was not a costume that fitted us. I say, Sir, that the rules and the regulations contained in the Act and the rules framed under the Government of India Act were not sufficiently broad enough for successfully working the reforms in this country, and that was the opinion we recorded; so His Lordship is in the first place wrong in assuming that we assumed that progress was impossible under the existing constitution. Then His Lordship is generous enough to say that the outstanding feature of the change made by the Act of 1919 was that it provided British India with a progressive constitution in place of an inelastic system of Government, and that consequently there is room within the structure of that constitution for the Legislature to develop for themselves a position in conformity with the spirit of the Act. Nobody denied that; only His Lordship has not cared to go into details as to the respects in which the existing constitution can be developed and as to where the elasticity comes in; and has he with his own hands helped in making it more expansive, more useful? Has His Lordship examined his own position in the matter? If he had looked at certain sections of the Act he could have verified for himself that in his own hands he has powers under which he can act by which he can improve the constitution. Sir, what is the situation of the Central Government? Here is an Assembly with a non-official majority which at times at least can and does defeat Government on various matters; although on account of various considerations which I need not detail here, the majority does not assert itself as often as it ought to do. But at the same time, here is an Executive Government which is responsible to—whom? Responsible to a gentleman who is about 7,000 miles away, who does not come and see the life of this Assembly, who has no real actual vision of the actualities of the situation here, who does not move with the people, who does not see them even, who does not see the conflicting thoughts and conflicting currents which are in operation here, and he has the main string in his hands. He is responsible to—whom? He is responsible to Parliament. I do not know exactly what the exact strength of the House of Commons is since the Irish separation; it used to be about 670. How many of them really know anything about India? How many of them really know anything about the present changed conditions of India? I am sure that the Executive Government here feel it, and feel it every moment of their life, every moment as they transact their great business and great functions which are entrusted to them for the Government of this vast country. I am sure they feel the difficulties of the situation here. They have to face the music of the popular view, the moderate views in this Assembly, outside it is more immoderate; and even in facing the moderate voice of the country in this Assembly they realize the difficulties of the grave and responsible position which they occupy. And does the gentleman in London ever loosen the main string which he holds in his hands? If report is true, he tries to draw it as tight as he can, and letterly he has not allowed that freedom and liberty of movement to the Government of India which is theirs by right. The Central Government of this country ought to be here. I mean that it is impossible to govern this country under modern conditions from London, however eminent the Statesman in charge may be. The real powers ought to be in the hands of the Central Government established in this country. That is the difficulty we feel when we deal with the budget. In the very first year of our existence we realized the impotence of the Government and our own impotence in dealing with it. The voted and the non-voted heads, the touchables and the untouchables, stared us in the face. We can really do no honest work with the budget,

[Rao Bahadur T. Rangachariar.]

Sir, if really we are intent upon doing good to the country. We are here for that purpose and nothing else. We are not here for personal aggrandisement. We are here to act and advise to the best of our lights to see what good can be done to this country. And when I say that, I include the Executive and the Legislature in the same category. Here then, Sir, we have a gentleman who gives the orders for all the fat appointments, all the fat allowances which accompany them, whether they are needed here or not, and we have to find the funds to pay them. They are put aside as untouchables, and here we are to play with a Budget. It is a mere plaything; it is not a serious matter. We do not take any interest. We cannot put our heart into it, and such a state of things could have been rectified by His Lordship the Secretary of State, but, on the other hand, when the question was really raised, what did His Lordship do? Instead of giving a free hand to the Viceroy he took the advice of the Law Officers of the Crown, and took refuge behind that advice and would not allow His Excellency the Viceroy to place the whole Budget before this Assembly. Now, Sir, that is a matter in which His Lordship could well have begun what he suggests should have been done, namely, the outstanding feature of the change made by the Act was its elasticity. Why did he not take advantage of it? Why has he not taken advantage of it even to-day? Therefore, Sir, when he says that we were unaware of it, I am rather led to think that he is himself unaware of his own powers. He could have delegated those powers under section 19 of the Government of India Act which he possesses to the Central Government here instead of trying to keep all the powers in his hands. What are the rules which he has made under that section in order to part with the powers which he and his Council possess in regard to the Government of this country? Why could he not have parted with those powers to the Government of India, or again in the matter of this Budget, as I have said?

Passing on, "In the second place" His Lordship says "however great the merits shown by the Legislature as a whole and by individual Members—and I am far from wishing to under-rate them",—I rather fear that he really wished to under-rate them but that is by the way, we do not care whether he compliments us or not; it is not a question of compliment at all in a case like this—he says "the fact remains that the merits and capabilities of the electorate have not yet been tested by time and experience". Well, who is going to test? When is the time going to come to test? Was this country tested when this constitution was given to us? Who made that test before this constitution was given? The Electors to be tested! I am afraid you will have to wait till doomsday in a continent like this if you are going to test the capacity of electors. Well, Sir, you have to come to some conclusion on a matter like this. Probably His Lordship was unaware of the great difficulty under which we began the work of these Reforms in the year 1921. Those of us who dared to come here and work the Reforms under the new Reform Act had to face a very unpleasant music from our countrymen. Sir, the country was boiling with wrath and indignation. The shadow of Amritsar had spread as His Royal Highness the Duke of Connaught told us. Sir, the country was then clamouring for a new constitution, We tried to put down that clamour by showing that by honest work we can do something with the constitution as it was. Sir, this Assembly collectively showed its responsibility, and not only this Assembly but the country showed its

sense of responsibility when it came to the rescue of Government in putting down disorder which might have shown its ugly head in the year 1921. Sir, everything was ready to burst as my Honourable friend Mr. Jadunath Mazumdar told us in September 1921. It was very nearly on the brink of revolution. Sir, did we hesitate to help the Government on a crisis like this? Was not the voice of this Assembly heard in that connection in putting down this tendency to disorder? Sir, His Lordship of course is not aware of these things. His Lordship is not aware of the difficulties which the Central Government had to face in a situation like that. The Central Government realised it; it saw how the country really was, and when they joined us in September 1921 in sending this message to the Secretary of State they knew full well the situation. Writing 13 months after that date, when the country had quieted down, when this country had accorded, notwithstanding some most objectionable exceptions in places, when the country had accorded a right royal welcome to the heir to the throne of England, His Lordship has penned this Despatch. That was the time for His Lordship to pen this Despatch in November 1921. It was a cruel act on his part. We cannot forgive him. Sir, this country has shown considerable patience and it will continue to show considerable patience with British Statesmen at Home, because they are ignorant really of the true situation in this country. It is in that sense we tried to wait and wait, because we are sure things will right themselves in the end. Therefore, as regards this second fact that the merits and capabilities of the electorate have yet to be decided, if that promised Commission at the end of the 10th year—is it 9th year or 10th year? (*A Voice*: “10th year”)—at the end of the 10th year, I do not think that Commission is going to find the country fit. Even if it comes when my grandson is alive and when probably he is a Member of this Assembly, even then they will say that the merits and capabilities of the electors and the country have to be tested by time and experience. Sir, you have to take these things as they are. Was England fit? Was it decided in the same way when the Reform Act was passed? Was any country tested like that? Is it really a thing which any person who has any knowledge of history, any knowledge of the development of institutions, could easily consume? That is why I say, Sir, the rottenness is exposed by its own innate contents and not by the delay which has taken place. “Thirdly, the new constitutional machinery has to be tested in its working as a whole” and His Lordship naively adds the executive Government have not shown themselves fit. That is what His Lordship says in paragraph 5. Is it really true that the executive Governments of these provinces have not shown their fitness under the new constitution? I never heard that charge laid at the executive Governments. It is a charge which the Government of India, I daresay, and the Local Governments will successfully meet, if they have not already met it. I am sure the delay in the publication of this Despatch from November 1921 to January 1923 is due perhaps to this struggle between the Government of India and the Secretary of State whether His Lordship would not have been pleased to remove that paragraph from the Despatch. His Lordship says that. I do not think I need labour the point. I will leave it to the Government of India and the Local Governments to defend themselves against that charge. (*A Voice*: “What paragraph is that?”) It is paragraph 5:

“Thirdly, the new constitutional machinery has to be tested in its working as a whole. Changes have been made as the results of the Act of 1919 in the composition, powers and responsibilities not only of the Legislatures but of the executive Governments.”

[Rao Bahadur T. Rangachariar.]

Now, the executive Governments have to justify themselves. Leaving it there, I will pass on to the next paragraph :

"I would add that even were these reasons for patience less cogent an opinion based upon six months' experience of its working that a new constitution, in the elaboration of which over 2 years were occupied, stands in need of revision, is hardly likely to commend itself to Parliament since it is clear that sufficient time has not elapsed to enable the new machinery to be adequately tested."

That was quite true at the time when the Assembly passed the Resolution in September 1921, but that was not quite true when His Lordship penned that despatch in November 1922. More than a year had elapsed since then and I do not think, as I have stated already, that it needs much trial in order to find out the defects which exist in the different constitutions. In the Central Government, as I have already pointed out, the main defects are two. Here is an Executive not responsible to the Legislature, here you have a budget which comprises items which you cannot touch. Those are the two main defects which we have to remedy and as regards the local Legislatures let the Ministers speak for themselves. This morning's debate has shown some of the ugly features of the present dyarchical Government which prevails. And I do not think I need repeat here what is well known. The whole question is one for examination, and that is all that we asked for in that Resolution. What is the gross sin we have committed? We ask that the question be examined, that the time has come for examination. We need not wait for the 10 years period which the Act provides. Let the question be examined, let us have an honest, efficient thing to work with. The present system which you have asked us to work with is not a thing which we can go on with. We can go on trying this thing to all eternity. I promise you if you were to work the present constitution for a hundred years you would never evolve anything. There would be the same struggle, the same conflict. Here every day we pass Resolutions, recommending that His Excellency the Governor General in Council be pleased to take steps, this, that, and the other, and His Excellency's pleasure does not rest even with him, but with somebody else. What is the good of this pleasure to us? Let us not have it, let us have something real. It is no use mincing matters in a question like this; the peace and prosperity of millions rests upon good Government; let us devise a system. That is all we ask, let the thing be re-examined. This ten years period is not a statutory bar. Mr. Montagu recognised it in answer to a question on the 14th February 1922. There is no statutory bar to an examination of this question before even the 10 years are out. Therefore we recommend that examination before that. And then, Sir, Mr. Lloyd George, speaking in the House of Commons on the 14th February, following Mr. Montagu's speech, said that democratic institutions are new to Europe and as regards Asiatic countries, they never had any instinct for democracy, and this is a new thing, we are trying; we are trying an experiment there, and therefore it must take time before you can give them any further advance. Of course in regard to Mr. Lloyd George we can excuse his ignorance of this country; he was never here. I don't suppose he has read our history. I don't suppose he has heard of a *panchayat*. We had our caste *panchayat*, we had our village *panchayat*, as he would have found if he had cared to investigate the matter. It may be quite true that in uncivilized Europe democratic Government was never known, but in civilized India, with its

ancient civilization, democracy had its origin in village Government. Sir, we never had anything else so far as the actual Government of the country was concerned, so far as the real affairs of the people were concerned. We had the Border Chieftains who merely took something for guarding the frontier, but so far as the internal affairs were concerned, the village *panchayat* held its sway. They collected taxes and they looked after things connected with the village. I wish we could go back to those conditions; they were very happy. But, Sir, Mr. Lloyd George's conclusion that democracy was a new thing in Europe is no argument for denying it. It is only restoring to us what we had for long long years. Therefore we possess that experience, especially in Dravidian South India—I do not know much of Northern India I am sorry to say. But in my own Province, among the Dravidian races, democracy was the rule, and therefore it is nothing new to us. It was born in our blood. It is bone with our bone, and therefore let there be no fear that the thing will be a failure in our country. Sir, in our Resolution we want something which will really be useful to the country. It is not that we are extravagant in our demand, we want only an examination of the existing constitution, and His Lordship has denied it to us. But we are not asking him to reconsider that question; we carefully refrained in framing this Resolution from asking that His Excellency the Governor General in Council be pleased to convey to His Lordship the Secretary of State for India that he be pleased to reconsider. We think it is a hopeless task; we merely express dissatisfaction, extreme dissatisfaction with what he has done. Let him do what he likes. It is not our concern. It is the peoples' concern no doubt, but we cannot help it, as we have to bow to mighty forces. We bow also to the Secretary of State. Sir, in asking for this examination we want to insure liberty, not license, freedom, not anarchy, progress, not stampede, peace and prosperity. I commend this Resolution to the acceptance of the Assembly.

Munshi Iswar Saran (Cities of the United Provinces: Non-Muhammadan Urban): Sir, a friend of mine happened to be in England and he was asked by a young lady, very educated and very cultured, whether Indians built houses in India. This friend of mine, who had a little sense of humour, said "No, we do not build houses, we have some kind of hammocks where we take rest at night." And the only comment she could make was, "Oh, how interesting." The Honourable the Secretary of State for India belongs to a similar category. (*An Honourable Member*: "Right Honourable.") Right Honourable, I beg pardon. It is a mere matter of chance that His Lordship finds himself installed on the *gadhi* at Whitehall. Political exigencies might have relegated him to some other position in some other office. I do not see why my Honourable friend Mr. Rangachariar should be so gloomy about this Despatch. We very well remember Lord Morley's dictum that the fur coat would never suit a tropical climate like India, but Lord Morley, I am happy to say, lived to see the day when these fur coats were made, though not very beautiful and very artistic, but fur coats all the same, not only for the Provincial Governments, but also for the Government of India. I do feel that all that His Lordship the Secretary of State for India has been pleased to say about the future of India will be as true, or as untrue, as the dictum of Lord Morley about the fur coat being unsuitable for a tropical climate, because I believe, Sir, that any nation which wins liberty, wins it by its own exertions, by its own sacrifice, by its own capacity, and by its own devotion. Sir, I am afraid His Lordship, like so many others, makes the mistake of regarding the whole movement in India as a political movement

[Munshi Iswar Saran.]

There lies the great mistake, Sir. It ought to be looked upon as really a psychological movement and it is only when you will look at it from that point of view that you will be able to appreciate the various bearings of this question which, to-day, is agitating India from the highest to the lowest. This talk of our being in too great a hurry, this appeal to us to be patient, this appeal to us to undergo these periodical examinations, the first after a period of ten years—the rest is unknown, the rest is dark—are based on ignorance of the real living forces that you find at work in India to-day; and I say, Sir, with a full sense of my responsibility that the longer the delay in our reaching the goal, the greater is the danger not only for this country but for the connection between India and England. Those of us, Sir, who advocate the retention of the connection between India and the British Commonwealth, and those of us who feel that it is in the interests of India, of England and of humanity as a whole, that these two countries should live together and work together, not as masters and slaves, not as rulers and ruled but as equals and comrades, are distressed at the delay which some people advocate, daresay with the best of motives. What do you find, Sir, in India to-day? It is imagined as if we are solely basing our claim for further reforms on the excellent work that has been admittedly done in the Indian Legislature as well as in the various Legislative Councils all over the country. I submit with great respect that that is a wrong view to take. You can only appreciate the inwardness of our demand if you do not forget the reception with which these reforms met at the time of their initiation. The vast majority of the people in the country were distinctly, emphatically, of opinion that these reforms were insufficient and there were many who went the length of saying that they would have nothing to do with them. Those who consented to work the reforms for what they were worth did so in the hope that they would not be subjected to these successive examinations, but that they would be regarded as men who were reasonable and were prepared to make a beginning with the reforms as they found them. The attitude of His Lordship the Secretary of State for India towards this most important and vital question has, as my Honourable friend Mr. Rangachariar has said, created a feeling of extreme dissatisfaction throughout the country and that, Sir, is only to put the case very mildly. Perhaps it is impossible for His Lordship, sitting at a distance of thousands of miles from this country, separated from this country by big oceans, knowing little or next to nothing about the past history, the traditions, and what is more, about the actual living forces at work in India to-day, to gauge the depth of feeling that has been aroused by his circular; but, let me tell him with all the respect that is due to His Lordship as the Secretary of State for India that he is very greatly mistaken if he thinks that India is going to accept this despatch as the last word on the subject.

Sir, talking about electorates, to which my Honourable friend has referred, let us think what these electorates were like when full responsible Government was given to these Dominions. Look at English history itself and you will find that the electorates were not in the condition in which you find them to-day. They were in the early stages defective. There were thoughtful politicians who at the time had very serious defects to find with the electorates as they existed then; but that was not held to be any valid reason for withholding from them the reforms for which they were fit.

Sir, let me pause here and say this. It is imagined as if India to-day is emerging out of darkness into light. It is imagined as if there is a clean slate in India on which His Lordship the Secretary of State for India and his colleagues have made some figures for the first time. It is imagined, I am afraid, as if all these reforms have been given to a people who were immersed in darkness and barbarism only a few years ago, and that it was with great effort that they were struggling from darkness into light. But, if His Lordship the Secretary of State and others of his way of thinking will pause and study the history of India, they will find the mistake that they commit in making this assumption. Sir, in one word, the position is this. There is this strong, growing desire amongst the people of India to obtain full responsible Government as an equal member of the British Commonwealth within the shortest possible period and I submit, Sir,—I am offering no threat, I am saying so with all respect—that any unreasonable delay in bringing about that goal will mean disaster to India as well as to England. Wisdom and statesmanship lie in making this period as short as possible, so that England and India united together may march on in the service of humanity as a whole.

Sir Deva Prasad Sarvadhikary (Calcutta: Non-Muhammadan Urban): Sir, when one is obliged to express dissatisfaction with regard to anything, extreme or otherwise, it is not good form to say much or to say that over-vigorously. I therefore congratulate my friend, Munshi Iswar Saran, and the Mover of this Resolution on the marked restraint that has been observed by them. I hope that example will be followed. Munshi Iswar Saran's restraint may also be due to another reason. He has been ill of late; we are glad to have him back here. I am rather suspicious, that his illness had a deeper root than ordinary mortal causes. He had a taste of the fruit of which Mr. Rangachariar has spoken. He had given notice of his intention to move for adjournment of the House on this question. (*Munshi Iswar Saran*: "That did not make me ill.") Not being allowed to move it, may have affected him. Time has since elapsed; I would not have answered for the restraint if Mr. Rangachariar, one of the Panel of Chairmen, who presided on the occasion, had allowed him that liberty when he was wanting to move for the adjournment. I shall not say that Nemesis has been at work, but there is a fitness of things, Sir, in Mr. Rangachariar, among many who had given notice of a similar motion, bringing this motion forward and giving us an opportunity of expressing in a restrained fashion the dissatisfaction that we should have voiced much more vigorously on that day. This changed order of things has another moral. I congratulate you and Mr. Rangachariar on his appointment as a Panel Chairman. The question is not without its bearing on what we are doing to-day. The Legislature is on its trial; we have been told the electorate is on its trial, and the poor Executive Government is also on its trial. The Legislature was on its trial on the day in question, in the person of Mr. Rangachariar. He exercised restraint and as Panel Chairman he did not allow that notice for adjournment to succeed. He however brings the matter up to-day in another capacity. People who can differentiate like that in their different capacities give more than good promise as to how they are going to behave when they have more responsible powers.

Sir, I do not wish to traverse the ground that Mr. Rangachariar has taken. That could be amplified almost *ad nauseam* if one was inclined to do so. But the one thing I wish to say in connection with this motion is that it was quite on the cards that the ten years' limit that was imposed was not the minimum; it was the maximum. We need not go into the question as to

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how that information or impression was obtained let any one who can, gainsay it—the limit was intended as the maximum and not the minimum, and the only real reason why it was not put down as the maximum in so many words was that some Members of the Joint Committee did not want that there should be any loophole for constant agitation if the limit was provided as a maximum. Has agitation been any the less because of the lack of that provision? Is agitation going to be any less? Sir, when the constitution came we were passing through troublous times. There were many who would have nothing to do with it either in the way of advising or working the constitution, and those who did agree to come forward either with advice or assistance later on were in a very difficult position. The War was on then and there was a natural and very laudable desire not to press for any hard bargain. We all thought that when peace came and some trial had been made the matter would be examined a little more dispassionately and a little more without an eye on the main chance. Well, it has been pointed out that much more than six months elapsed while this despatch was drafted, and the mature consideration for which the Secretary of State pleaded was given. Sir, we are told that the new constitution took 2 years to evolve; if at the end of 10 years a Committee is appointed and that Committee takes another 2 years or less or more to evolve another constitution, what would be the position of affairs? Shall we have another State *versus* Company management debate on the eve of the appointment of that Committee, and is there to be an *interregnum*; or is it not better to be forewarned and begin the examination, the results of which need not be given effect to immediately if there is not good ground?

In justice to the Secretary of State we must recognise that he was not a free agent in the matter. He had to deal with Parliament and the Cabinet. He had to reckon with the state of things in Parliament at the time that he came into power and he had also to bargain for the state of feeling in England with regard to India both in and out of Parliament. If matters were put like that by the Secretary of State it would have been intelligent; but when one talks of electorates not being fit, the other side naturally turns round and asks, what steps are being taken to educate the electorate? Is it for private Members who come here as representatives of those electorates to go back to their constituencies and to do what they can in the way of educating the electorates? That has been suggested. I do recognise that that may be a part of the duty and functions of those who represent those electorates. But it is not enough; what has the Government done? What has the Secretary of State done in the way of help for educating that electorate or the Legislature by expanding convention? When it was urged by some that literacy test should be applied to the electorate, the authorities turned round and said: "We don't want to set up an educated oligarchy." And when the electorate makes mistakes—all electorates make mistakes in all countries—the same authorities turn round and say "The electorates have not proved themselves worthy of the trust." The Legislature and the electorate are not the only ones on their trial. So is the Executive Government. One is not quite sure from the Despatch whether by the Executive Government the Members or the Ministers in the Local Governments is meant. So far as the Government of India are concerned, there can be no doubt that the whole of the front Bench here is on its trial for there are no Ministers; but in the Provinces one would like to know whether it is the

Minister section or the Member section of the Government that is on its trial. And the failure of which section will count?

I began by saying that in expressing one's dissatisfaction one must not say too much, and I do not wish to say more. This expression of dissatisfaction may or may not do good, but it is up to us to give unequivocal expression to it.

Mr. T. E. Moir (Madras: Nominated Official): Sir, when I examined this Resolution moved by the Honourable Mr. Rangachariar, I wondered what purpose it was that he conceived it would serve. I was convinced that it was not merely to give this House an opportunity of recording its dissatisfaction with the particular course of action taken by the Secretary of State. We seem to be getting into the habit of recording our dissatisfaction with the Secretary of State, but I was perfectly certain that that was not his sole object in moving this Resolution, and I took it that his real object was that he considered it would further the object which the original Resolution, which forms the basis of our discussion—the Resolution of September 1921—had in view; that is to say, that in some way this Resolution, if carried, would forward political and constitutional reforms in this country. I was rather surprised when I heard Mr. Rangachariar say that he had not expected any better results from the original Resolution. Now surely that was merely a form of rhetoric. Surely he did not wish to imply that he and the other Members of this House who supported that Resolution in 1921, had voted for it merely in order to try a fall with the Secretary of State,—that they expected that the answer of the Secretary of State would be exactly what it was. I cannot believe that either Mr. Rangachariar or his supporters on that occasion did, as he would suggest, deliberately try to place this House in antagonism to the Secretary of State.

I was also rather disappointed to find how uncomfortable Mr. Rangachariar seemed to be in his new clothes. Another thing which disappointed me in Mr. Rangachariar's speech was his attitude towards the Reforms. It seemed to me in many ways one of the most reactionary speeches I have ever listened to. For, what was he looking for? He is not looking forward to the future. He is looking back on it, to the past history of India, to the days when the Raja was the Raja, when the priest was the priest, and the ryots held the plough. It was not with any confidence in the future that he spoke. It was a regret with the past and I should say that if his supporters of constitutional reform and political advance in this country have no more robust constitution than the Honourable Mr. Rangachariar there would be grave doubt as regards the future of that progress and the possibilities of advance.

Now, Sir, I turn to what I suppose was the real object of Mr. Rangachariar in moving this Resolution. He is dealing with the question of further political advance in this country. What is the object that he, this House, we all have in view? What is it to which we look forward? It is to the raising of India to the position of an equal partner in the British Empire governed by representative democratic institutions. Now, Sir, I think at times we are all apt to take the question of the admission or the retention of India within the British Empire for granted. We assume that that does not involve any postulate. It does involve a postulate and a very big one, and that is that India accepts and works democratic and representative institutions and the people of my country who, after all, are a free people, are entitled to demand assurances that their

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future partner does accept democratic and representative institutions. Now, Sir, we are rather apt I think to attack the Secretary of State as an obstructionist, we talk of him as the "gentleman at Whitehall." Possibly we think that by saying so we are belittling him. Is it not possible that we are belittling ourselves? We may regard him as a mere obstructionist, as a mere malignant focus of all that is reactionary. But look to the other side. What is his position in England? He is one of His Majesty's Ministers, he is a Member of the British Cabinet, and he holds a very peculiar position in that Cabinet in that he is entrusted on behalf of the people of Great Britain with the task of watching the most important and possibly the most perilous political, may I use the word, experiment that has ever been undertaken. That is the position which he occupies with reference to the British people. Now, Sir, surely if our desire is to foster, to secure a more rapid advance in the constitutional position of India, surely the last thing we ought to do is in any way to antagonise either the Parliament or the people of Great Britain. And is it not possible that when we complain of the action of the Secretary of State the people of Great Britain may take an entirely different view? They may look upon his action as merely the carrying out of those responsibilities and those functions which were imposed upon him under the constitution which had been granted to this country,—responsibilities and functions which he dare not deny or fail to execute. I am not in the best position to speak as to the opinion of people at Home, but may I say,—I may judge wrongly—from all I hear what their opinion is? They were perfectly prepared for such a Resolution as was proposed in September 1921, that they regard it as an exhibition, perfectly natural, of the enthusiasm of the young Assembly. But I am afraid that the step we are asked to take to-day, the steps that we have occasionally taken, since that Resolution strike them in a different line, that it really convinces a desire on the part of this Assembly to deny to the Minister who has been entrusted with the task of watching and guiding the reforms on their behalf the right to do so.

Now, I will turn to the real issue of this original Resolution. It was not a question, as Mr. Rangachariar seems to suggest, merely of whether the Secretary of State or the Government of India within the four corners of the existing Act could extend powers and privileges of this sort. It was a demand for a re-examination and revision of the constitution at an early date. That was what the demand was, not a mere question of what could be done within the scope of the existing constitution. As I suggested at that time, this Assembly was filled with enthusiasm for the new scheme, for the new conditions which would come into being. But are we perfectly certain that, if we are summoned at the present moment before Parliament,—we are perfectly certain in our hearts that we can give them such assurances as they may hold would justify them in granting now a further measure of constitutional advance? Could we assure the House of Commons that our communal differences and difficulties have disappeared? Could we assure the House of Commons that the people of this country as a whole have unreservedly accepted the constitutional powers upon which they have invited us to enter? Could we assure the House of Commons that the electorate of this country and the future electorate is so wedded to democratic and constitutional ideas that it will hold to them steadfastly through good and evil? I give no answer to those questions, but they are questions which this House would have to consider very

deeply if it wished to press for a further advance. Now, Sir, surely we recognise that the next stage of constitutional development must follow the same lines as the last stage and all other previous stages did, that is to say, it must be by Parliamentary action and ratified by the consent of the British people. Now, Sir, I am not in the secret of those who I agree at the present moment are deliberating as to how the demand for a further step in advance should be formulated or put forward. I may make one suggestion here and that is that both the nature of the demands and the time when they are put forward should be so chosen that they may feel confident that they will receive a favourable reception at the hands of the British Parliament and it is because of these considerations I consider that the Secretary of State with his knowledge of the state of public opinion and of Parliamentary opinion at Home did a service to the constitutional progress of this country by refusing to consider a demand which he must have been certain would have been refused. It is because of that I do believe he did the greatest possible service to constitutional advance in this country in refusing to accept the invitation of this Assembly to re-open the question of the constitution and I would entreat the House not to give its assent to this Resolution. I believe that if they do so it will again be a step which would be detrimental to constitutional progress, that it will not help to improve relations between this Assembly and the British Parliament and that it will not help further to link together the people of this country and the people of Great Britain.

Dr. Nand Lal (West Punjab: Non-Muhammadan): I am afraid the Honourable Mr. Moir has misconstrued the speech of my Honourable friend, Mr. Rangachariar. He says that the speech meant to belittle His Lordship the Secretary of State. He is wrong altogether. We have the most sincere respect for the Secretary of State. The speech which has been made by the Honourable Mover is nothing but, more or less, an echo of the voice of the country. At the same time the Honourable Mr. Moir says that people in England will not appreciate it and will not take it in good spirit. I may tell him that he is wrong there too. My opinion of the soundness of the views of people in England induces me to think that they are more broadminded than the Honourable Mr. Moir thinks. I think they will take it in the right spirit, in the spirit in which this Resolution has been moved. They are always in favour of hearing what is the truth, namely, what is the view of the people who England is governing and I think to mince matters is not a proper thing. This Resolution contains a clear statement of the opinion of a large section of Indians here. The facts are that Indians are not quite new to democracy, that at any rate, the ancestors of the present Indians knew of the principles of democracy which are subsisting in other parts of the world. Nine or ten centuries ago, India knew of these principles and they obtained in India. You cannot deny that. If you study Sir Henry Maine you will learn that all these principles of democracy obtained in India. Then the Honourable Mr. Moir says that at the time this Resolution was moved, some of the Members of this Assembly might have anticipated a disappointing answer. I think he is wrong. This Assembly was not idling during that time. We were quite serious when this Resolution was moved and we expected that we would have an encouraging answer; and what was our demand? The character of the demand was modest, very simple—that investigation may be made. That was the real gist which was put forward in the form of a Resolution then. Let me assure you, Sir, that this Despatch has really aroused some sort of sensation in this country and I think the Honourable

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Mr. Rangachariar has rendered a service both to this country and to England in voicing the opinions held. The Resolution, to my mind, commends itself and I need not go into details or into the history of whole question. I most heartily support it.

Mr. K. Muppil Nayar (West Coast and Nilgiris: Non-Muhammadian Rural): In practical politics of to-day in India, there are some things it is impossible to understand, when one sits to ponder over them calmly—A constant cry of Indianisation and a constant cry for a further instalment of reforms are two of them—To my mind they are all so closely connected and with one idea, that of self-Government. The first important question that therefore arises is, can we in India, for a long time to come, afford to lose the presence of a strong British element? That is the crux of the whole question. It is impossible to expect that element to be present unless the Britishers are given proper facilities, and we in India are prepared to accept their terms. But if it is argued we can do without them, then may I ask what is the cohesive force that we will have in their stead? Was not India, whenever she had not one among her own people to control all the rest, always a prey to some great force from outside? What about our private quarrels? What about the Brahmin and the Non-Brahmin, the Hindu and the Muhammadian, the orthodox and liberal, the clash among the different sects and communities and all such, to say nothing of inter-provincial troubles? Suppose we manage to make up all these, then what about our present British India and a great slice of India which is in the hands of Indian Princes? Will these Princes like or agree to be bossed over by us? If they will not, are we then prepared to conquer and subjugate them all? Is it not more likely that it may be the other way round, for one of them to subjugate the rest of India which will without the cohesive force be like a loose mixture of stone and paddy? It strikes me that this is one of the most important aspects of the matter that has hardly received its due consideration. Personally I was never charmed with the Montagu-Chelmsford reforms. My attempt to do my best for a satisfactory working of them does not at all mean I approve of them, for, I should have done just the same on the grant of any other kind of reforms, tied as my family and I are to our lands. The reforms are, however, in my opinion a great step forward and if we are prepared to accept them as more or less an end in themselves, then things may go on all right. But as a means to something greater, as some people are never tired of making them out to be, they are in my opinion simply hopeless—For, what is the next step? Whatever we do, it is a question of whether we want the British in India or not. We cannot ask them to be here, do any dirty work if occasion arises, and take the responsibilities and at the same time give them no voice in the choice of their action, nor let them have enough of their own men to support it. I cannot really see any *via media*. So, thus we come back to where we started from and the whole difficulty is there again. I view the reforms as a raised place from which we are shown by clever politicians and impatient idealists what appears a beautiful lake on the horizon which they call self-Government. Well, I doubt if there is that lake and if it is not all a mirage. Next, we are told there is a path to it. If there is, then I say that path cannot but have at present uncrossable gaps and unless we think out means of getting over those gaps there is no good leaving our safe position on the hill. I should certainly entreat for patience from my friends whom I ask to wait and watch how we get on.

Maulvi Abul Kasem (Dacca Division: Muhammadan Rural): Sir, I was not one of those who were very enthusiastic about the original Resolution as moved by my distinguished friend, Rai Bahadur Jadu Nath Mazumdar, on that memorable occasion, but I was certainly, Sir, a party to the amended Resolution which was passed by this House, and to me and I believe to the other Members of this House I take it as an insult that our united voice should have been so summarily brushed aside. Sir, we have been told times out of number by the British Cabinet and by the Secretary of State that the man on the spot is to be trusted and respected. But unfortunately, Sir, I have found it my experience that when the man on the spot, I mean the Government of India and His Excellency the Viceroy, move in the right path, their opinion is not respected; it is only when they advocate retrograde measures that their experience counts at Whitehall. Sir, here was a Resolution adopted and accepted by the Legislature and the Executive, and the Secretary of State thinks so lightly of it that he does not even consider or consent to examine the merits of it, and that is, Sir, a situation which cannot be accepted by this House. The Honourable Mover does neither ask for any examination or for any consideration of it; he only asks the Government to express to the Secretary of State the deep dissatisfaction of this House. Is there anybody in this House, or if I may say so anybody in the country, who would venture to say that the House is not dissatisfied with the action taken by the Right Honourable the Secretary of State? If that is so, I say that there is absolutely no reason why that feeling should not be communicated to the gentleman about whom it is entertained by the Members of this House. I do not like, Sir, to go into the merits or the demerits of the Resolution at large or into constitutional history. This is neither the occasion nor the time for the discussion of that. We are here rather concerned with the action taken by the Secretary of State, and we express our feelings about it, and I think we do it strongly and emphatically and without equivocation. The advocacy of the Honourable Member from Madras to the effect that the Right Honourable the Secretary of State has done the greatest service to India I am sorry I can neither appreciate nor accept. I believe, Sir, with due respect and deference to the Noble Lord, that his action has been a great disservice to the cause of reforms and constitutional agitation in this country. They have in a large measure strengthened the hands of those who I am afraid are not working in the right way, and whom we may fairly call revolutionaries, and therefore the position which we occupy both in this House and in the country is to a very large extent weakened: and to weaken our hands means to strengthen the hands of our enemies. This was a step which was unwise and unstatesmanlike, and we wish and desire that our feelings in this respect should be communicated to the Right Honourable the Secretary of State for India by His Excellency the Governor General in Council.

Mr. B. C. Allen (Assam: Nominated Official): I hope, Sir, that even at this stage of the debate there is room for the still small voice of conciliation. I was greatly moved by what I heard from my friend, Mr. Rangachariar, when he referred to the sacrifices that he and those who have come with him made when they joined the party of constitutional reform and entered this House. But I was not surprised that he did so. In the first place, if he will allow me to say so, if there is one thing which impresses us about our Honourable friend, it is the transparent honesty of his character and the fact that he would never prefer what is expedient to what is right. But it is not only a personal question. I have, during

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the many years that I have lived in this country, been enormously impressed by the way in which Indians in the service of Government, and Indians who thought that Government was in the right, had the courage of adhering to their opinions in the face of the bitterest hostility, the bitterest opposition, from their fellow-countrymen.

And now, Sir, I should like to refer to what I imagine to have been the underlying idea, the idea in the Secretary of State's mind when he penned that Despatch. As I visualize these reforms, they are, to use that objectionable word, a great experiment; they are a great trial. There was one system of Government in force in this country, and that system has been radically changed. There are of course opponents outside who have stigmatized these reforms as worthless, and of no account. Those of us who are in Government service know what vast powers are already wielded by these Assemblies which have been constituted, and know how greatly these powers could have been strengthened and enhanced had those who have remained outside of them thought fit to enter. But the future, I submit, Sir, is still obscure. We have been told that the people are clamouring for a reform of the constitution. Now it is difficult for any country to ascertain what the temper and the will of the people really is. We know what the newspapers say, but the newspapers by no means invariably represent the real wishes, the real desires of the population. I understand that in England in many cases elections are swayed by the silent vote, by the great body of steady opinion which takes no particular action, raises no loud cries, but forms its own conclusions and goes to the poll to give effect to them. Now I think that all of us who have carefully watched the proceedings of this House must have realized how difficult it is to know the will even of this House, of this small body of men amongst whom we sit from day to day. We, all of us, even on the Government Benches and those on the opposite Benches, know how difficult it is to tell how a division will go. Occasionally, the result is foreseen. But, continually, one is surprised to find gentlemen in the Government lobby who were only expected to be seen elsewhere, and people in the opposite lobby who might naturally be expected to vote with Government, or rather not to have voted with Government because, apart from Government servants, Members here do not vote either for or against the Government but for or against the particular motion. I would refer to a recent debate. I think that most people who sat in the House were very surprised at the attitude adopted there towards the question of protection and free trade. I came down to the House imagining that the House was wholly Protectionist,—and what did we really find?—that there was a very strong free trade element. So, Sir, I think that we should be very careful before we say that there is a strong popular demand, that the country as a whole has demanded anything. I am perfectly aware that a short time ago the country as a whole did demand something. It demanded that Mr. Gandhi should become the Emperor of India. There was no doubt whatever, so far as I could ascertain, that that was its genuine desire (*Voices*: "Never, never.") and in my own province that demand was based upon two things. It was based upon the statement made without any authority or any responsibility of the person chiefly concerned that Mr. Gandhi was God. Now we all know that if there is one thing which Indians are, it is that they are religious, and that once they have reason to suppose that any person is endowed with divine attributes, they will follow him blindly to the death. The other cause which swayed the people was the fact

that they were told that not only was Mr. Gandhi king, but that as a result of that, he being a *Sanyasi* required no revenue, that land revenue would be either entirely abolished or would be suspended for a term of years, that the forests would be free and that practically no taxation would be imposed. Is it cause for wonder that an illiterate population welcomed such a new-comer with joy? We cannot safely attach much weight to such an expression of the popular will.

I submit, Sir, that the future at the present moment is extraordinarily obscure. We had these reforms introduced; then we had the O'Donnell Circular: I frankly admit that in my opinion the stoppage of recruitment was the logical sequence of the reforms. I come up here; I express that opinion to an esteemed friend sitting in the House, and he tells me that he does not at all like to hear such views from my lips. I feel myself once more at a loss. Take again the whole constitution of India. Is India a country? Is India a nation? India is a continent and a congeries of nations. What have we been seeing only to-day? Has not province been rising up against province? What did we hear only a few short days ago? Did not a Member on the opposite benches get up and warn the House that Burma was likely to secede from the Indian comity of nations? Surely, Sir, we must all feel that when there are such real and genuine risks, such real and genuine dangers ahead of us, it is only right to proceed slowly and cautiously. Speaking for myself, so long as there is a reasonably steady, stable Government in India, I care not a whit whether Mr. Rangachariar or Sir Malcolm Hailey sits on the Treasury Bench. (*The Honourable Sir Malcolm Hailey*: "Nor do I.") But the one thing we all of us ask, and I am perfectly certain that the people of England are with us in that, is that there should be a solid stable Government in India: a Government that can protect its frontiers and that can ensure to every section of the population a reasonable administration of the law, the maintenance of order and the continuance to the people of their inherent right to follow their ordinary avocations in peace and quiet. And to me, Sir, it seems that the Secretary of State in declining to be rushed out of the policy of proceeding slowly has been showing true statesmanship. We are not dealing with machines. We are dealing with living human beings. Our institutions cannot be cast in a factory; they have got to grow. We grow and our institutions must grow with us. That seems to me to be the essence of real statesmanship in dealing with a question of this kind. What did Bismarck say after the first Franco-Prussian war? "We have planted the acorn. It is now for us to watch its growth." And what happened when Bismarck and the Bismarckian policy was thrown aside? The cast-iron German Empire was built up; the fleet was created, not as the British fleet is created working from year to year in accordance with our requirements, but created in accordance with the mandate of a stern and inflexible law. And where does the German fleet lie now? Is India to grow to majesty and dignity, or are we to hurriedly put together a jerrybuilt house which will share the fate that always befalls such buildings?

Dr. H. S. Gour (Nagpur Division: Non-Muhammadan): Sir, I should like the Honourable Members to remember what we are really discussing this afternoon. We are not discussing here the personality of the Secretary of State or the question of the castes and communities in this country, but a very short and narrow Resolution, namely, the Despatch of the Secretary of State on the unanimous Resolution of this House moved and

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passed at the instance of the then Home Member. (*The Honourable Sir Malcolm Hailey*: "Most certainly not.") I am told, Sir, by the present occupant of that seat that this Resolution was most certainly not passed at the instance of the then Home Member. Let me refresh his memory. I find, Sir, at page 1285 of the Indian Hansard, the following discussion:

The Honourable Sir William Vincent: I gave a certain assurance to the House and on that understanding I understood that the Honourable Rai Bahadur Majumdar had withdrawn his Resolution.

Rai Jadunath Majumdar Bahadur: I withdrew my Resolution because I accepted the amendment of the Honourable the Home Member.

The Honourable Sir William Vincent: I have no objection.

Mr. President: I regret that misunderstandings have arisen in regard to this matter. An amendment was handed up to me on the table in the form written out and now the question is that the amended Resolution be adopted. It reads thus—(*not read*)."

And the Resolution was adopted. Sir William Vincent drafted an amendment, Rai Bahadur Jadunath Majumdar thereupon withdrew his Resolution and the amendment, without objection by Sir William Vincent, was moved and unanimously passed by this House. This is the position. The Government cannot repudiate their responsibility for having endorsed this amendment and having made it virtually their own. And when they sent it on with their imprimatur to the Secretary of State. . . . (*The Honourable Sir Malcolm Hailey*: "What imprimatur?") Their own. The amendment was sent on to the Secretary of State, it must be presumed to be, Sir, with the recommendation of the Government of India, though they may not have recommended it in so many words. But let it pass. When that recommendation was sent to the Secretary of State, what is the reply of the Secretary of State? He tells us that the present constitution is sufficiently elastic and it has not been exploited. That the present constitution is sufficiently expansive admits of no doubt. But has the Secretary of State given his sanction to the expansion possible under the present constitution? I say, Sir, that if the Secretary of State was so inclined, if he was favourably considering the Resolution of this House and was inclined to give, without the intervention of Parliament, what the present constitution allows, he could easily have said, "look at section 19 A: look at the other sections of the Government of India Act: look at section 45 of the Government of India Act which allows of the transfer of all subjects to the Minister; look at section 19A of the Government of India Act which allows of the relaxation of the Secretary of State's control by rules framed thereunder. I am prepared to frame these rules and I authorize you to transfer further subjects to the provinces." That would have been the reply of the Secretary of State. But what does the Secretary of State do? Beyond merely alluding to the possibility of expansion, he takes no further action, nor, for the matter of that, do I find any desire on the part of the Government of India to exploit the present Government of India Act. Now, Sir, I believe this section 19A of the Government of India Act was the subject of some interpellation in this House. Now, under this section, I would like to point out to the Honourable Members of this House, the Secretary of State is entitled to make rules for the purpose of transferring his power of superintendence, direction and control to the Government of India. I have no doubt that if by the rules framed under this section the Secretary of State had transferred his powers to the Government of India we should

have a more autonomous Government of India than we find it to-day. Well, Sir, in this connection my friend Mr. Neogy asked a question whether any rules had been framed under section 19A and a reply was given that some rules had been framed by a notification dated the 14th of December 1920. It seems to me, Sir, that this reply must have been given under some misapprehension. These rules are merely framed in regard to transferred subjects and not for the purpose of relaxing the power of superintendence and control vested in the Secretary of State in favour of the Government of India. Now, Sir, that is the first point. The second point in connection with this Despatch is that it says that sufficient time has not elapsed for a further advance. It was perfectly true that when the Resolution was passed, only six odd months had passed since the inauguration of the Reforms. But when this Despatch was indicted nearly 18 months had elapsed, and what would have been the procedure if the Secretary of State had accepted the recommendation of this House? Surely, Sir, a statutory Commission would have come out to this country and would have made investigation into the question as to whether further reforms should or should not be granted. I ask, Sir, the Home Member how long would such a statutory Committee take to complete its inquiry? I suggest, not less than 2 or 3 years. Then, Sir, assume for the sake of argument that on completion of their inquiry the matter was reported to Parliament and a new draft prepared for submission to Parliament. How long would that take and what time would be necessary for the passage of a Reformed Constitution Bill through both Houses of Parliament? Surely, Sir, two years or three years is none too short for the passage of such a Bill. Consequently, if the Secretary of State starts to-day to make inquiries as directed by the Government of India Act, it will take five, six, or perhaps seven years before we are granted a new constitution, and I submit seven or eight years for the revision of a new constitution is surely as long a time (*A Voice*: "Too long")—we are told it is too long—as would be necessary under ordinary circumstances if the statutory commission were to visit this country on the motion of this House. But assume for the sake of argument that a statutory committee was not to visit for 10 years. I ask you, Sir, is this country to improve in education or are our communal differences, so picturesquely described in the fancy portrait of my Honourable friend Mr. Allen from Assam, to be changed within a period of 18 months or two years? And what is after all ten years in the life of a nation? Surely, Sir, once committed to responsible Government in this country, the English people should be generous enough to see that if it is delayed for 10 years it will make certainly no difference, no substantial difference in any case, either in the education of the electorate or in the improvement of the social conditions which were laid down as the *sine qua non* for further advance. Now, Sir, these are facts which cannot be lost sight of. A few months or a few years will make no difference in the life of a nation. I have turned, Sir, with some grief to the speeches made to-day by two members of the Indian Civil Service. You will remember that on the last occasion when this House had to listen to a Civil Service debate, I read extracts from a Memorandum prepared by their Central Association which contained words of wisdom in which it was pointed out that the transitional stage of this country must be abridged and shortened both in the interest of India and of England, and the Civil Service pointed out that so far as India is concerned no Government will be popular in this country unless that transitional period is put an end to. That is the view, the collected view, of the Civil Service in this country. Then, Sir, we have been told that if we press this Resolution to the vote.

[Dr. H. S. Gour.]

we shall antagonise the Secretary of State. I am sure neither my friend Mr. Rangachariar nor anybody in this House has the remotest idea of anta-

6 P.M. . . . emphasize is the necessity of a further advance in the direction of Reforms in the Central Government, and whatever the Home Member may say, I feel confident that the Home Member would be the first person to congratulate this House and himself if the Government of India was made more independent of the Secretary of State and the British Cabinet. Surely, Sir, when the Honourable the Home Member said he did not mind if Mr. Rangachariar took his place, he spoke the truth. His bed is not a bed of roses. From the front he has to withstand the attack of the Assembly and from behind he has to bear the brunt of the Secretary of State. He is, Sir, between the devil and the deep sea

The Honourable Sir Malcolm Hailey (Home Member): Which is the devil?

Dr. H. S. Gour: The Honourable the Home Member puts to me a query. I would ask him to answer that query for himself. Now I submit Sir, this is the real situation. We on this side of the House want that the Government of India should be masters in their own home, and that is possible under the present Government of India Act. That is possible under the rules which the Secretary of State can frame, and if the effect of this Resolution would be to compel the framing of rules making the Government of India more autonomous, more independent from extraneous control, our immediate purpose will be served. So far as the main purpose of the Resolution is concerned, we have already indicated that this House merely desires to record its emphatic protest, its respectful but emphatic protest, and the disappointment caused by the Secretary of State's despatch, and records its view that the time has come for a further advance in the constitution of this country. I submit there is nothing to antagonise the Secretary of State or anybody else. Lastly, Sir, it is necessary for me to refer to the ante-deluvian views of my friend, Mr. Allen. He tells us that India is not a country but a continent. We have been hearing this for the last numerous years. We have been told that India is a vast congerie of nations; but I ask my friend, the Honourable Mr. Allen, will India cease to be a continent in 10 years? Will it cease to be a congerie of nations in 10 years? Will the communal differences die a natural death in 10 years? And it is in 10 years time that the constitution of this country has been promised to be revised. All those criticisms of my learned friends on the other side, I submit, are entirely wide of the mark. If they mean anything at all, they mean that there should have been no reform and not that there should be no further advance. But with the Government of India Act on the Statute Book a further reform is inevitable. It is irresistible, and the whole question is whether a forward step should be taken now or after 10 years. My friend, Mr. Iswar Saran, Sir, has rightly felt the pulse of the country. The country is chafing under the present regime and wants a further reform, and I think it will be a wise step if the Government of India strongly advised the authorities at Home that further delay is dangerous. Sir, my friend, Mr. Moir, made some reference to the golden past depicted by my friend Mr. Rangachariar. He wants to recall the past. He refers to the *panchayat* and to the happy days in ancient India which everybody enjoyed. Well, Sir, I must join with Mr. Moir in protesting against the description of that mythical past. I recognise that the democracy of India is the creation of the British and I appeal to the British

nation to advance the cause of that democracy by granting us further reforms.

Sir Campbell Rhodes (Bengal: European): Sir, as it is now six o'clock I beg to suggest to you that we are all tired and that we might adjourn.

Mr. Jamnadas Dwarkadas (Bombay City: Non-Muhammadan Urban): Sir, before you accept the suggestion made by my Honourable friend Sir Campbell Rhodes, I would request you out of fairness, to give some time to non-official Members to enable them to answer the arguments which have been advanced by Mr. Moir and others, otherwise the impression will be created that there was no answer to them.

Mr. President: Honourable Members must be aware that the case in favour of the Resolution has been presented by eight or nine speakers and the case against by two.

Rao Bahadur T. Rangachariar: Sir, I have no objection to the adjournment if that is the right solution of this question. Sir, I expected the Secretary of State would expect the courtesy of the expression of the opinion of this House on his despatch and that is why we tabled this motion. I think he will have plenty of opportunity to see how we view his despatch, and really it is not my object that we should convey any censure or create any antagonism between the Secretary of State and ourselves. But he must know the truth so far as this country is concerned; that the despatch is viewed with dissatisfaction. The whole point, Sir, is, my critics may be divided into two classes. There are some people who will never improve, who will never improve themselves and who think too that others will not improve. They will always be down with the cry, "India is not fit for anything." My Honourable friend, Mr. Muppil Nayar comes under that category. He cried out against the Montagu-Chelmsford Reforms, he cried against the Morley-Minto Reforms, and he will cry to time's end against any reforms. I do not think such people deserve any serious consideration, but I quite appreciate the friendly spirit which actuates my friends, Mr. Allen and Mr. Moir. I am glad, Sir, for one reason, that my Resolution has been the cause of provoking eloquence from my usually silent friends. We listened to their speeches with great pleasure, and to some portion with amusement. When Mr. Allen said that this country wanted Mr. Gandhi as an Emperor of India, he made a huge mistake, and if all the Indian Civil Service people are such judges of Indians, then I am afraid they are poor judges. They do not know the country then even with all this experience which they have. We know the country much better. We know that such a thing was never the wish of the country really. Of course it is very difficult to postulate what is the will of the people in any country. I do not suppose Mr. Lloyd George knew the will of the country when he was dethroned, but he still spoke in the name of the country to all the nations of the world. But we know what the intelligentsia of the country wants, and that is what counts in every country, not the ignorant masses, but the educated people who can think as to what is good for the country. So far as that goes, I do not think we make a mistake when we say (all sections I am now speaking of) that some further examination is necessary in order to see whether a step forward should not be taken. That is all we want to emphasize in this Resolution.

[Rao Bahadur T. Rangachariar.]

Sir, I do not want to withdraw this Resolution and I am not anxious either it should go to a division, and if it should end in the way my Honourable friend, Sir Campbell Rhodes, suggests, I will not object to that course, because I am sure the Right Honourable the Secretary of State will peruse these proceedings and see really that the country is not satisfied with his despatch on this very grave issue.

Mr. President: The question is that the debate be adjourned *sine die*.

The Honourable Sir Malcolm Hailey: I myself have no objection to the adjournment of the debate; though I should like to keep the House for another hour while I explain my own points of view on the subject. If it is adjourned, I must remark that it has been adjourned without my reply on the subject. I wish to keep my right of reply, if it comes up again.

(Voices: "We should like to hear your reply.")

Dr. H. S. Gour: I thought it was Mr. Rangachariar's intention to adjourn the debate *sine die* after hearing Sir Malcolm Hailey.

Mr. President: The Honourable Member from Madras is well able to express his intentions himself.

The question is that the debate be adjourned *sine die*.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 24th February, 1923.
