

Monday, 20th March, 1922

THE
COUNCIL OF STATE DEBATES
(Official Report)

SECOND SESSION
OF THE
COUNCIL OF STATE, 1922



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COUNCIL OF STATE.

Monday, the 20th March, 1922.

The Council assembled at Metcalfe House at Eleven of the Clock. The Honourable the President was in the Chair.

QUESTIONS AND ANSWERS.

RATE OF 1 £=10 Rs.

*126. The HONOURABLE SARDAR JOGENDRA SINGH: Will Government be pleased to say how long it intends to keep the rate of 1£=10 Rs. on the Statute Book?

The HONOURABLE MR. E. M. COOK: Government are not in a position to make any pronouncement on the subject.

GOLD COINAGE.

*127. The HONOURABLE SARDAR JOGENDRA SINGH: Will Government be pleased to state when Indian mints are going to coin gold?

The HONOURABLE MR. E. M. COOK: The subject of the Honourable Member's question was fully dealt with in the Honourable the Finance Member's speech in another place on a Resolution for the appointment of a Currency Committee as recently as the 24th January last. The Honourable Member will find, if he reads the record of that debate, that the Finance Member gave the assurance that the Indian Mints are prepared to coin gold as soon as the demand for gold currency arises. He pointed out, at the same time, that no such demand could arise so long as the present premium on gold as compared with its statutory parity exists, nor would it arise in present conditions even if the statutory rate were reduced to the parity of Rs. 17 to the £, since the value of a sovereign at present gold prices is over Rs. 17½.

ROYAL MILITARY COLLEGE AT SANDHURST.

128. The HONOURABLE MR. BOROOAH: (a) How many candidates from Assam have been admitted to the Royal Military College, Sandhurst, since 1918?

(b) How many of them were from the Assam Valley and how many from the Surma Valley?

(c) How many candidates from each valley respectively have been recommended by the Assam Government to the Government of India, since 1918?

(d) What was the number of applications for admission from each Valley?

(e) Is it a fact that a certain officer, appointed to receive and forward applications from the Assam Valley summarily refused to forward some applications? If so, what were the reasons for such refusal?

* The Honourable Member was absent.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) One.

(b) The one candidate referred to was from the Assam Valley.

(c) From the Assam Valley, one; from the Surma Valley, none.

(d) and (e) Apart from the one candidate referred to in (c), the Government of India understand that, subsequent to 1918, the Commissioner of the Assam Valley Division has received three applications, which he did not forward as he considered that the applicants' qualifications were insufficient.

RIOT AT KANAIRHAT, SYLHET.

129. The **HONOURABLE MR. BOROOAH:** (a) Are the Government aware of a riot, said to have occurred at Kanairhat, in Sylhet, on or about the 15th of February last?

(b) What were the casualties on the side of the police, as well as on that of the people?

(c) Is it a fact that a constable was shot dead and that his body was cremated, without a post-mortem examination?

(d) Has the brother of the deceased constable applied to the Court for an inquiry as to the cause of the death? If so, what has become of the application?

(e) Has any step been taken to make a thorough inquiry into the matter of the riot?

The **HONOURABLE MR. S. P. O'DONNELL:** (a) Yes.

(b) There were about 8 casualties among the rioters. Three constables were killed and three wounded.

(c), (d) and (e). The Government of India have no information.

REFUGEES FROM CONTINENTAL EUROPE.

130. The **HONOURABLE MR. PHIROZE SETHNA:** Will Government be pleased to state:—

(a) how many refugees from Continental Europe are at present in this country,

(b) if any or all of them are maintained at Government expense,

(c) the amounts spent per mensem on each one of them if by himself, or on each family if any such refugee is accompanied by members of his family, and

(d) the total amount so spent since the beginning of the war up-to-date?

The **HONOURABLE SIR JOHN WOOD:** (a) One family of Lithuanians consisting of husband, wife and six children,

(b) the cost of maintenance is at present being borne by the Indian Government and is subject to adjustment hereafter, with the Governments concerned,

(c) information has been called for from the Local Government concerned and will be laid on the table on receipt,

(d) a statement is under preparation and will be laid on the table when it is complete.

LIBRARY FOR THE INDIAN LEGISLATURE.

The HONOURABLE THE PRESIDENT: Honourable Members are aware perhaps that a grant was made by the Legislative Assembly last September for the constitution of a Library for the use of Members of both Chambers. A sum of Rs. 15,000 was allotted for that purpose and the Library has been started; but representations have been made to me and to the President of the Legislative Assembly, suggesting that some guidance to the officers purchasing the books would be desirable. I have been in consultation with the Honourable Sir Frederick Whyte, and we think it would be an advantage to have a small nominated Committee, representing both Chambers, who could consider suggestions and act generally as an Advisory Committee to the Secretary in regard to the purchase of books and the general arrangements of the Library. My Honourable Colleague will, I understand, make an announcement to-day in the Assembly. I have nominated, with their consent, the Honourable Sardar Jogendra Singh and the Honourable Mr. Khaparde to serve as Members representing this Chamber, and I understand my Honourable Colleague will nominate Mr. Samarth and Mr. Ginwalla to represent the Assembly on this Joint Committee. If any Members have suggestions to offer either in regard to the general arrangements of the Library or in regard to the purchase of particular books, those suggestions will, in the first place, be considered by the Committee I have mentioned.

The HONOURABLE DIWAN BAHADUR V. RAMABHADRA NAIDU: May I suggest the names of the Honourable Mr. Kale and the Honourable Dr. Ganganath Jha also as Members of the Committee?

The HONOURABLE THE PRESIDENT: I am afraid I cannot give effect to that proposal till I have had an opportunity of consulting my Honourable Colleague. The arrangement was that we should nominate two Members each. The matter, therefore, must be put before him in the first instance; possibly he may have had suggestions from the other Chamber.

MOTION FOR ADJOURNMENT.

The HONOURABLE THE PRESIDENT: Before we proceed to the business of the day, I have to inform the Council that I have received notice of a desire to move the adjournment from the Honourable Saiyid Raza Ali. The matter on which he wishes to move is specified in his letter and runs as follows:—

‘To discuss a definite matter of urgent public importance, that is to say, the policy of Government as evidenced by the prosecution of Mr. Gandhi, and its effects on the country.’

That motion seems to me to require a little explanation from the Member who has given notice, before I come to a decision as to whether it is within the Rules or not. The matter on which an adjournment can be moved must be a specific matter of recent occurrence. I should like to hear the

[The Honourable the President.]

Honourable Saiyid Raza Ali on the point whether ' the policy of Government as evidenced by the prosecution of Mr. Gandhi ' is, in fact, a specific matter of recent occurrence, and, thereafter, I shall ask the Member of the Government concerned to give me his views also.

The HONOURABLE SAIYID RAZA ALI: Sir, the arrest and prosecution of Mr. Gandhi are a matter of public importance.

The HONOURABLE THE PRESIDENT: Will the Honourable Member bear in mind the point of order I put to him—that is, whether the policy of Government as evidenced by the prosecution is or is not a specific matter of recent occurrence.

The HONOURABLE SAIYID RAZA ALI: It is a specific matter. That it has happened recently is quite clear from the fact that the arrest was made on the 9th or 10th of the month. As long as the case was *sub judice* it was not open to any Member of this Council to bring forward this matter. The orders in the case were passed only the day before yesterday (Saturday), and as Honourable Members are aware the sentence of six years has been passed. The trial is over and therefore the matter now comes within the cognizance of this Council. So I think that for the reasons I have stated it is a specific matter and it is a matter which has recently arisen. There has been no meeting of this Council since Saturday when the sentence was passed.

The HONOURABLE MR. S. P. O'DONNELL: Sir, I desire to make it clear that the prosecution of Mr. Gandhi involves in no way a new departure in policy on the part of Government. It is perfectly true, as everybody knows, that under the law Mr. Gandhi could have been proceeded against earlier. The Government did not so proceed for reasons which, I think, are manifest. They had hoped that the non-co-operation movement would kill itself, and they were reluctant to proceed against a man of the high personal character of Mr. Gandhi, a man who had not himself been guilty of direct incitements to violence, and a man whose peculiar combination of qualities had secured for him a hold over a large number of people. They deferred action as long as they could. But when the Non-co-operation Party had been given an opportunity of revising its attitude after the Bardoli Resolution, and had not taken that opportunity, the Government came to the conclusion that in view of the consequences to which the movement had led they could no longer hold their hands. But the prosecution of Mr. Gandhi in no way involves any alteration in the attitude or policy of the Government. There have been a number of prosecutions of non-co-operators for precisely the same offence, namely, sedition, and under the same section 124A, Indian Penal Code, as the section, under which proceedings have been taken against Mr. Gandhi. It has been perfectly open to any Member of this Council months and months ago to raise the question of the policy in this respect of the Government, but that has not been done. There has, Sir, in fact been no embarking by the Government on a new policy.

The HONOURABLE SAIYID RAZA ALI: As a matter of fact, Sir, I wanted to invite the Government's attention to two specific points in the course of the discussion if I got the opportunity. I have had no such opportunity and it has yet to be seen whether an opportunity is going to be given to me. The two specific points to which I refer—and I mention them because the Honourable Mr. O'Donnell refrained from making any observations with

regard to them—are, in the first place, the severity of the sentence passed on Mr. Gandhi, and in the next place, as to what is going to be the pace of the Reforms which the country desires to be introduced.

The HONOURABLE THE PRESIDENT: The Honourable Member has not dealt with the point which I put to him, whether this prosecution involves a change of policy. That is the whole point of his notice. He has not said he wants to discuss the sentence inflicted on Mr. Gandhi. He has not said he wishes to discuss this particular case. He raises the general question of policy as evidenced by this case; and after hearing the Honourable Mr. O'Donnell, in my opinion, there has been no change of policy, as stated by the Honourable Member, which is a specific matter of recent occurrence. I cannot allow the motion.

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RESOLUTION *RE* REPRESENTATIVE FOR INDIA ON THE INTERNATIONAL CONFERENCE AT GENOA.

The HONOURABLE MR. SETHNA: Sir, I beg to move that—

'In view of the approaching International Conference at Genoa, this Council recommends to the Governor General in Council the desirability of sending a representative for India elected by the Indian Legislature and with definite instructions.'

Sir, on the 14th of last month when speaking to the amendment on the Address from the Throne, the Premier, Mr. Lloyd George, in the course of his speech observed that the International Conference at Genoa was called for the purpose of reconstructing Europe, and he added that because India was one of the countries which had become poorer on account of the War, that India was specially invited to send a delegate for the purpose of helping the British delegation at that Conference. We appreciate the compliment, and we would have appreciated the compliment still more if the selection rested not with the Government of India, but with the Indian Legislature.

In bringing forward this Resolution, Sir, I would like the Council to understand that I do not for one moment criticise the nominations made by Government in the past. On the contrary, the country at large has every reason to be thankful to the Government of India for the most excellent selections they did make. For the first Imperial War Conference the representatives selected were the Maharaja of Bikaner and Lord Sinha; and last year again the Maharao of Cutch and the Right Honourable Srinivasa Sastri. Again, some months ago, Mr. Sastri was delegated to represent India at the Washington Conference, from which labours he is now returning, and we hope he will be able to take his seat with us here within a week from now. I say these nominations have satisfied the great majority of people in this country. Of course there is a section of the people to whom no nomination made by Government would ever give any satisfaction. But the point however is that, even if these nominations in the past have given satisfaction to the country at large, it may be that hereafter nominations might be made which might not be acceptable to the majority of the people in the country; whereas if the selections were made by the Indian Legislature the Legislature would be responsible for the consequences of the appointments, should the selection not prove fortunate. But we may give credit to the Legislature for selecting a representative, or representatives should there be more than one, who would look after the interests of the country in the best manner possible and reflect credit on their choice

[Mr. Sethna.]

and such representatives need not be Members of the Legislature themselves.

I hope, Sir, it will not be argued that I am too late with my proposal so far as the Genoa Conference is concerned, because the first intimation was to the effect that the Conference would start about the end of this month. We are aware, however, that owing to the Ministerial crisis in France which led to the downfall of M. Briand and the advent of M. Poincare to power, the date is now fixed for some time in June, and perhaps it may be postponed to a still later date because of a desire on the part of the Powers to prevail upon the United States of America to join the Conference. Therefore, Sir, there will be enough time even if the meeting is to be held earlier, for considerable time will be taken up before the proceedings commence, over the discussion and settlement of the Agenda.

The importance of the Genoa Conference is undoubted, for even if the United States of America does not join, we are aware that so far 35 countries have given their assent to be members, and I understand that these representatives, together with their staff, will number a good few hundreds. The important aspects of the Conference will of course be political and economic. I do not think, Sir, anyone will now question the advisability of sending a representative to such a Conference from India. In fact, so far as the political aspect of the case is concerned, it may be held that perhaps India has a greater claim than the Dominions, and for this reason. Among the questions to be discussed may also be the question of the Anglo-French Alliance, and because France has colonies in Asia and Africa should there be any disturbances there, Indians would be expected to take part in those entanglements, on the side of France because of the alliance which the Dominions are not expected to, but are perfectly free to come in or not. Again, Sir, questions in regard to Turkey and Russia will also be discussed at the Conference, and it is necessary that India should be represented there, because of the very large number of Indian inhabitants being members of the Muhammadan community.

As regards the economic aspect of the case, we recognize that our largest market for our exports is of course Central Europe, and if the balance of trade is at present against this country, it is because Central Europe is practically in a state of chaos. It will, therefore, be the duty of the Conference to try to rehabilitate these countries, and if we had an Indian representative there, he would be able to point out to his Colleagues that the attitude of the French in trying to subordinate everything to obtain indemnity reparations is not helping the progress of the world, and that, at the present moment, every country is yearning to return to normal conditions.

The time, therefore, Sir, has arrived, to my mind, when not only should India participate in the Conference, but that its representative or representatives should be clothed with high authority. A nominee selected by Government would carry weight, as such nominees have done in the past, but they would not carry as much weight as they would if selected by the Indian Legislature; and it is for this reason, Sir, that I have brought forward the Resolution. I realize that in the Dominions it is the practice for the Premier to go. If he cannot go, he sends a representative to air the views of the Party in power in such Dominion. We have not reached that stage in this country so far, but it will be a step in the right direction

if the Legislature were allowed to select their own representatives to advance the views not only of the people, but also of the Government of India. It might be contended that the representative of the Indian Legislature may perhaps hold views which are not in consonance with the views of the Government of India, and, consequently, there may be a clash of interests, and therefore it will be necessary that the representative should be nominated instead of being elected by the Legislature. But however much we might differ in matters of internal administration, I think we may give credit to the Legislature, so far as representation in a Conference outside India is concerned, that they will look upon the interests of India as a whole, and, consequently, the views of the Government of India and the Legislature may be expected to coincide in a case of this kind. I therefore hold that it would be very advisable if the representative or representatives were selected by the Legislature.

I see on the agenda an amendment by the Honourable Sir Zulfiqar Ali Khan, according to which he would like that the person elected by the Legislature should also be approved of by the Government of India. This, I take it, is an amendment intended to safeguard against the contingency to which I have just referred. If Government believe that my Resolution goes too far, and if they are prepared to accept the amendment of my Honourable Friend, Sir Zulfiqar Ali Khan, I for one will have no objection, because in that case too I will consider it a step in the right direction. If we cannot straightaway elect our representatives the step contemplated by the amendment is an intermediate stage and will clear the way for a direct election in years to come.

With these few words I submit my Resolution for the acceptance of the Council.

The HONOURABLE SIR ZULFIQAR ALI KHAN: I wish to move the following amendment:

'That between the words 'Legislature' and 'and' in the third line of the Resolution insert the words 'and approved by Government'.'

The HONOURABLE THE PRESIDENT: That is not the amendment on the paper.

The HONOURABLE SIR ZULFIQAR ALI KHAN: The printed words say:

'And such representative being approved of by Government.'

The HONOURABLE THE PRESIDENT: Does the Honourable Member wish to alter his amendment?

The HONOURABLE SIR ZULFIQAR ALI KHAN: Either of the amendments suggests that the representatives should be approved of by Government.

The HONOURABLE THE PRESIDENT: Which amendment does the Honourable Member wish to move?

The HONOURABLE SIR ZULFIQAR ALI KHAN: I wish to move the printed form of the amendment.

Sir, my Honourable Colleague, Mr. Phiroze Sethna, has, in his very eloquent speech, placed the arguments which may induce the Government and this House to accept the Resolution which he has introduced in this

[Sir Zulfiqar Ali Khan.]

Council. I need not go into the detailed history of this policy of the Government; but I may be allowed to say that in 1915, so far as I remember, when this policy was accepted by Government, we, Indians, felt that by sending a representative to such conferences we were given a status which India's progress, enlightenment, resources and population demand. This step which my Honourable friend now wishes the Government to take is the second stage in the development of this policy. There is no fault to find with the selection of Government made from amongst the public men of India. So far as I remember, three representatives out of our public men have been successively selected, the first being Lord Sinha (then Mr. Sinha), the second, Sir Ali Imam, and the third, the Right Honourable Mr. Srinivasa Sastri.

Now, Sir, without in any way saying anything which might reflect on the ability and the distinguished personality of these people, I may say that sometimes even such selections have proved unsatisfactory. For example, Sir, year before last, when certain questions in connection with the Khilafat were to be discussed, there was an impression in India that the representative of India, although commanding the full confidence of the Indians was not quite in touch with the sentiments and interests of the particular community for their representation before the League of Nations, and therefore Government was forced to send a deputation from India, and also to organize a certain representation in England itself, consisting of some Muhammadans then living in England. From this point of view, Sir, in order to obviate this difficulty in the future, I think the only course open is to give the representatives of India in the Legislature a chance to have their say in the selection of this representative.

Then there may also arise, as the Honourable Mover has said, certain questions affecting especially Turkey and Russia, and the selection of a man for the next year may have a weighty influence on the solution of these questions. Therefore, in order to have full concurrence and support of the public it will be wise for Government to give the two Houses of the Legislature a chance to make suggestions to Government for the nomination of a representative. It does not necessarily bind Government in any way to make a selection out of the three or four men who may be suggested; and, if Government finds the suggestions made by the Legislature not satisfactory and the people suggested not suitable, Government could make a choice of its own independent of the suggestions made. Sir, as I said before, there are some very important matters to be discussed, and I do trust that Government will respect the wishes of the people in this matter and give us an opportunity to suggest these names and in this way the representative of India who will be suggested by the Legislature and perhaps approved of by Government will be in a position to represent the public opinion in India as well as the Government in this representative Assembly. It is true that in the case of self-governing Dominions the Premier goes to represent the country or he sends a representative. But, Sir, the case of India is different. Those Dominions have their own national Governments, and therefore the representative who goes from those Dominions cannot in any way go against the policy of Government. Here also our policy with regard to foreign affairs is to a very great extent identical with that of the Foreign Office, but, in order to remove certain misunderstandings and difficulties, I think it is necessary that a panel of four of five men may be suggested by the Legislature and the Government could approve one out of this panel; or, as election in

certain cases is not always satisfactory, Government could go and make an independent selection. With these few words, I wish to put this amendment before this Council.

The HONOURABLE SAIYID RAZA ALI: Sir, since this morning I have been empowered with a sense of pessimism and I regret to notice that so far as I am concerned the same sense reflects itself even in this Resolution that has been moved by my friend, the Honourable Mr. Sethna. To everyone who will carefully read the Resolution for himself it would appear that there are some difficulties in the way, the solution of which has unfortunately not been suggested by the Honourable Mover. Where can you have the spectacle, as you have in India, of an irremovable Executive tagged to the heels of a Legislature, whose powers are limited? It is very difficult to suggest as to what are the practical methods by which you can make the feelings of the Legislature respected or accepted. These feelings may in some cases be respected, but it is very difficult to make them accepted by the Executive Government. The main question I think here is—and I believe the Honourable Members are not unacquainted with its difficulties—whose representative will this gentleman be whom we are going to elect? Is he going to be our representative or is he going to be the representative of Government? If he were responsible to the Legislature, then no doubt the method suggested by my Honourable friend would be the best course to be adopted by the Legislature, though in self-governing Dominions it is not necessary that such an election should be made by the Legislature. The man selected in self-governing Dominions is not the representative of any Party, but of the Government and the country. But unfortunately these premises do not hold good when we look at the conditions obtaining in India. After all, the representative will be the representative of the Indian Government, neither of the Indian people on the one hand nor of India on the other. Therefore, I consider that, as long as the present constitutions remain in force, I see considerable difficulty in the suggestion commending itself to the Honourable Members of this Council. But I am not prepared to say that we should not make a very small beginning—a small and modest beginning—that has been suggested by the Honourable Mr. Sethna, but in any case it will be impossible for us to elect only one man. I do not know what the attitude of the Government on this question is going to be, but to place facilities in the way of Government, I think it will be just as well for us to select three or four representatives and leave the choice to Government, so that, if they decide in favour of any particular man, they may be in a position to do so. I think that is what we should do.

Now, the second point for our decision will be—what should be the method of selection that should be resorted to if the Resolution is accepted? The Honourable Member says nothing as to that. Of course, we have two Chambers of the Indian Legislature. I do not know as to whether he is going to act on the principle of one vote for one man, or whether he would give the Honourable Members of this Council more than one vote. At least he has indicated nothing so far as that goes. I do not know whether we shall be entitled to one vote or more than one vote.

Now, I come to the last point of all, namely, the point that the Honourable Mr. Sethna mentions at the end of his Resolution that we should send this representative with definite instructions. Now I for one do not know as to whether we are justified in embodying these words at the end

[Saiyid Raza Ali.]

of this Resolution. The difficulties are obvious. In fact, it is extremely difficult to know as to what will be the exact questions that will come up before the Genoa Conference. I daresay the Government are in a position to know something on the question, but I am sure they do not know all the details. So far as I know—and I think I am making a very bold venture in reading the mind of Government—I think the Government are not in possession of full facts, and I do not know if all the specific recommendations are going to come up before the Conference. If this is so, the Government will find some difficulty in solving this problem; much more shall we who know next to nothing on the subject. It will, therefore, be very difficult to say as to what should be the specific recommendations with which we should charge the men or man whom we are going to elect. The whole thing is in a melting-pot. It is in the air. I, therefore, would like to make a recommendation which would have a chance of being accepted by the Government of India. In every way, and looking to the whole character of the question, with which we are confronted, I think it would be much better if the Honourable Mover dropped the words 'and with definite instructions' which he has put at the end of his Resolution. Nothing is further from my mind than to put any restrictions on the powers of this Council. As I said in the beginning, if we had an Executive Government responsible to the Legislature, he would be perfectly right in saying that it should be this House which should lay down the instructions and not the Executive Government; but, unfortunately, that time has not yet come and nobody knows how long it is going to take. Sir, my submission is that the Honourable Mr. Sethna should join us in fighting the battles of the country and asking the Government to give us full responsible government at a very early date. If he is not prepared to do that, I, at least, consistently with the views I hold, cannot see how I can support these words at the end of his Resolution. I would, therefore, formally move as an amendment that the words 'and with definite instructions' be deleted from this Resolution.

With these words, I commend the Resolution, as amended both by the Honourable Sir Zulfiqar Ali Khan and myself, to the acceptance of this Council.

THE HONOURABLE MR. S. P. O'DONNELL: Sir, the Honourable Mr. Sethna has dealt with this question with his usual candour and lucidity, and has thereby lightened my task.

The Genoa Conference may best be described as an attempt to reconstruct international trade. No doubt that general description covers a multitude of subsidiary problems, but, broadly speaking, it is, I think, the best description that can be given of the purpose for which this Conference is to be held. So far as I am aware, the detailed questions which will come up for discussion, will be questions primarily concerning Europe. At the same time they are, far from being questions which are indifferent to India. Financially and economically, the world is now largely one; what happens in one country or in one hemisphere has reactions and repercussions upon the rest of the world; and India is undoubtedly vitally interested in the success of the Conference. The Government of India propose therefore that India should be represented at the Conference. At the same time, they cannot accept the proposal that the representative of India should be elected by the Legislature. I believe I am correct in stating that there is absolutely no precedent for the appointment or the selection of the representative of any country at a Conference of this kind by a Legislature.

The universal practice, so far as I am aware, is that the representative of each country or Power is invariably either a member of the Government, and appointed, therefore, by the Government, or some other person appointed by the Government. And the reasons for that are, I think, obvious. They rest upon the principles governing the division of functions between the Legislature and the Executive. A Conference such as that to be held at Genoa is a means whereby the various Powers can meet together and enter into negotiations, and the carrying on of negotiations is essentially a task for the Executive. The work of the Legislature lies in another sphere, the sphere of legislation and the enunciation of general principles, and nothing but confusion could result from any encroachment by the Legislature on the functions of the Executive.

There are also, in the case of India, additional reasons why election by the Legislature is not admissible. In the first place, the Government of India is still an official Government. The principle of responsibility to the Legislature has not yet been extended to the Central Government; the Government of India is still a Government responsible to the Secretary of State and to Parliament; and, therefore, any proposal which would have the effect of eliminating the Secretary of State or of limiting his discretion in a matter of this kind is not a proposal which is in accordance with the express provisions of the Government of India Act. Secondly, it must be remembered that matters affecting the relations of His Majesty's Government with other States are matters which are excluded from the purview of the discussions of the Legislature, and, in so far as any such matters may be involved in the discussions which will take place at this Conference, it would clearly be anomalous that the Legislature should elect representatives to deal with such matters.

But, Sir, we may look at this question from another and equally important aspect. It was admitted by Mr. Sethna—I should not say 'admitted' because he put it in the forefront of his Resolution—that the representative of India must go to the Conference with definite instructions. I gather that the Honourable Saiyid Raza Ali—in fact it is clear from his amendment—is opposed to that. I confess I was not clear as to the reasons which underlay his objection, but, at any rate, I gathered that he objected to that. I think the Council however will agree that it is absolutely essential that the representative of India should go to the Conference with clear and precise instructions. There is no question of sending a plenipotentiary, of giving some person *carte blanche*, of sending any person armed with plenary power to sign any blank cheque and to enter into any agreement which he may think fit. That is an absolutely impossible suggestion. The position of a representative at an international conference of this kind was succinctly stated by Monsieur Viviani when he said referring to the League of Nations that the representatives are representatives of their Governments and can do nothing outside the express terms of their instructions. Now, Sir, if that is admitted, who else can give the instructions except the Government? I cannot myself imagine any procedure by which the Legislature could issue instructions covering all the matters which will be dealt with at a Conference of this kind; but, even were it supposed that by some impossible procedure that initial instruction could be given by the Legislature, the Legislature could not deal with supplementary instructions. At any time questions may arise on which further instructions and directions will be required, and those instructions can,

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obviously, in the circumstances of the case, be obtained only from the Government. It is not that the instructions to be issued by the Government would necessarily or probably be different from those which would commend themselves to the Legislature. I quite agree that in all probability the instructions issued by the Government would be such as the Legislature would endorse. Nor again—and here I come to the amendment moved by the Honourable Sir Zulfikar Ali Khan—is it a question of the Legislature selecting unsuitable persons. I have no doubt that the Legislature would select men of integrity and capacity. It may well be that the Legislature would even select the very person on whom the choice of the Government would fall. But, although his amendment seeks to mitigate the difficulties, it would still leave the representative of India in the anomalous position of owing his appointment partly to one authority and partly to another authority and of owing a dual allegiance, divided in some undefined way, between the Government and the Legislature. It seems to me, Sir, that that is an impossible position. We cannot afford to have any doubt, any confusion or any uncertainty regarding the position of our representative. That would be absolutely fatal; it would entirely destroy his usefulness at the Conference. If he goes in any other capacity except as a representative of the Government and to carry out the instructions of the Government, I cannot see that his presence there would serve any useful purpose. The representatives of all the other countries will be the representatives of their Governments; they will voice the views of their Governments and they will wish to elicit the views of the Government of India, and nothing else.

Now, Sir, I quite agree with the point made, if I followed him rightly, by the Honourable Sir Zulfikar Ali Khan that the relation of the Government of India to the Indian Legislature differs from that of Governments in countries in which full responsible government has been established to their Legislatures. And in theory and principle that may be held to carry with it some difference in the relation of the representative of the Government to the Legislature. I think the difference can easily be exaggerated. So far as I am aware, the proposals that are placed before a Conference of this kind by the representatives of the various Powers are not usually proposals that have been formally discussed and formally resolved on by their Legislatures. So far as I am aware, that is neither necessary nor usual. What these Governments have to see to is that their representatives do not enter into commitments and agreements which might meet with the strong disapproval of their Legislatures. And doubtless if they do so, it is true that these Legislatures, if so disposed, can take more drastic action than the Indian Legislature can take. They can, if they so desire, turn the Government out. But the difference is nevertheless a difference of degree and not of kind. The Government of India also has to take into account the views of this Legislature. It has to take account of those views not only in matters of legislation—and Honourable Members will remember that the proposals made by the representatives of India at the Assembly of the League of Nations regarding the immoral traffic in women, were subsequently submitted for the approval of this Council—but also in regard to any matter which comes within the wide range of its discussions, and of public opinion as expressed through the Legislature. And there need, I think, be no apprehension that the Government of India will ever be oblivious of the views of the Legislature.

But, it seems to me, Sir, that the constitutional position is misconceived, if it is argued that because there is this difference between the relations of the representatives of the Government of India to the Indian Legislature, and the relations of the representatives of other Governments to their Legislatures, that therefore the Legislature should be vested with a function which everywhere else is discharged by the Executive. Whatever difference of this kind there may be,—and I have tried to show that the difference is not great in practice,—is the outcome, the result, the consequence, of the different constitutional position of the Government of India and any change accordingly in the direction of the reduction or elimination of that difference must be the result of further constitutional developments. To endeavour to reverse the process would be simply to put the cart before the horse.

Well, Sir, for these reasons the Government cannot accept the proposal that the representative of India should be elected by the Legislature. At the same time, they propose that India should be represented at the Conference, and it will always be their endeavour to select for such conferences men in whom the country and the Legislature will have full confidence. It has been frankly admitted by the Honourable Mr. Sethna that the representatives whom they have chosen in the past, such as His Highness the Maharaja of Cutch and the Right Honourable Mr. Sastri,—have commanded this confidence, and the fact that the Government have chosen such men is clear evidence of their intention in the matter.

The HONOURABLE MR. SETHNA: Sir, I am obliged to the Honourable the Government Member for the very lucid explanation he has given as to why he is not able to accept my Resolution.

The main point in his speech is that as the Government is constituted at the present moment, any representative selected by the Legislature would not be carrying out the intentions of the Government of India as the Government of India would like him to do. This, Sir, assumes that the Legislature and the Government of India will not be at one in regard to the points that will be brought up before the Conference. . . .

The HONOURABLE MR. S. P. O'DONNELL: May I point out, Sir, that I expressly said that it was not a question of anticipating that there would be differences in regard to the instructions to be issued to the representative of India? What I was anxious to make clear was simply the fact that the authority which issues the instructions must be the Government and that there must be no doubt that the allegiance and the responsibility of the person sent to this Conference is to the Government. I was dealing with the question of principle.

The HONOURABLE MR. SETHNA: I quite see that, and I was referring to that point. I say that because the representative is elected by the Legislature, it does not follow that the Legislature would not be in sympathy with the ideas which the Government of India may have on points to be brought up before the Conference. So far, at any rate, as questions outside India are concerned, I for one would say that the Legislature and the Government of India would be in perfect agreement. However, I see, Sir, that there is some point in what the Honourable Mr. O'Donnell has just now told us. But I should like to inquire from the Honourable Member if in that case he would be willing to allow the choice to be made by the Legislature, but that the representative so selected should carry out the instructions of the Government of India alone?

The HONOURABLE MR. S. P. O'DONNELL: No, Sir, I am afraid I cannot accept that, because it still seems to me to involve the anomaly of a sort of dual responsibility. The position would still be that in some sort of undefined way the representative sent there would be expected to represent two bodies. If whilst he received his instruction from the Government, he was at the same time a man chosen by the Legislature he would be expected by the Legislature—and if not so expected I do not quite see the object of this Resolution—also to voice the views of the Legislature.

I have also pointed out the constitutional objections to anything which limits the discretion of the Secretary of State in this matter.

The HONOURABLE MR. SETHNA: I do not say for one moment that the Secretary of State should be left out. I should also expect that he too might be there in addition to the representative or representatives selected by the Legislature. I am sorry that my Honourable friend cannot meet me even to the extent that I have indicated.

Then, Sir, to deal with the amendment of the Honourable Saiyid Raza Ali. I think that has been fully replied to by the Honourable Mr. O'Donnell, in regard to the omission of the words 'and with definite instructions' from my Resolution. Surely, Sir, a representative could not be sent there without definite instructions. He could not be given *carte blanche* to deal with the different matters which will be brought up before the Conference. Therefore I will leave my Resolution as it is. If the amendment of Sir Zulfikar Ali Khan were accepted it might prove a *via media* until such time as the country obtains complete self-government and can send duly accredited representatives to the Conference, without any let or hindrance of any kind.

I quite agree with the Honourable Mr. O'Donnell, and I repeat what I said in my opening speech, that the Government have been very careful in the excellent selections they have made in the past, and I do hope, Sir, that, if this Resolution or amendment is not accepted—which I hope will not be the case,—that Government if they have to nominate again will once more select men of the type of Lord Sinha, and the Right Honourable Mr. Srinivasa Sastri, and one other Indian whom I inadvertently forgot to mention before—I mean Sir Ali Imam, who too in his various spheres of activities has like the others rendered valuable service to this country.

The HONOURABLE THE PRESIDENT: The question is:

'That to the Resolution moved by the Honourable Mr. Sethna the following amendment be made:

'After the word 'Legislature' the following words be inserted, 'such representative being approved by Government.'

The amendment was rejected.

The HONOURABLE THE PRESIDENT: The question is:

'That in the Resolution under consideration the words 'and with definite instructions' be omitted.'

The amendment was rejected.

The HONOURABLE THE PRESIDENT: The question is:

'That the following Resolution be adopted:

'In view of the approaching International Conference at Genoa, this Council recommends to the Governor General in Council the desirability of sending a representative for India elected by the Indian Legislature and with definite instructions.'

The Resolution was rejected.

RESOLUTION RE LEAVE TO MUHAMMADANS FOR JUMMA PRAYERS.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: Sir,
12 NOON. the Resolution that stands in my name runs as follows:—

'This Council recommends to the Governor General in Council that he may be pleased to pass necessary orders that all the Muhammadan employees of all the Courts and public Offices in all the Provinces including the Central Government offices shall be granted two hours' holiday, for saying their Jumma prayers on Fridays.'

This is a question, Sir, concerning the religious duties of the Muhammadans at large. In my motion in the Madras Legislative Council on 2nd April 1913, the Government of Madras was kind enough to grant leave of absence for one hour first on Fridays as per G. O. No. 1408-Public, dated 14th November 1913. Subsequently I moved a Resolution on 29th March 1915 at the meeting of the Legislative Council for two hours' leave as the leave for the one hour already granted was not sufficient. The Government of Madras was good enough to extend their concession to one more hour as per G. O. No. 1066-Public, dated 14th November 1915.

At a meeting of the Imperial Council held on 11th March 1913, the Honourable Sir Reginald Craddock on behalf of the Government, in replying to a question put by the Honourable Mr. Ghaznavi, said the following:—

'As regards the Muhammadan employees in Government of India Secretariats the Governor General in Council will be pleased to allow the concession asked for and the desirability of action on similar lines will be commended to Local Governments.'

Other Provinces, such as Burma, Bombay, Bengal, Bihar and Orissa, also allow a period of two hours' leave for Jumma prayer on Fridays on condition that the employees make up the time by working extra hours during the week, if necessary.

It is clear that the Local Governments have rightly thought in giving this concession to the Muhammadans to perform their religious duties; but some of the Provinces have imposed conditions that the employees should work extra hours to compensate these two hours' leave of absence.

My object in bringing this Resolution in this House is to give facilities to the Muhammadans employed in all the Departments throughout India for discharging their religious duties on Friday.

I request, therefore, that all the Muhammadan employees of all the Courts and Public Offices in all the Provinces in India including the Central Government are granted two hours' leave on Fridays without any conditions whatsoever and that a General Order be issued to this effect.

I cannot adequately express how the Muhammadan world will be thankful to the Government for the great service rendered in allowing them to exercise their religious rights. As the Resolution is self-evident and as this is one of religious importance, I need not dwell much on this subject, and I, therefore, trust that the Honourable Members of this House will give their whole-hearted support to my Resolution unanimously and that the Government will not hesitate in accepting the same.

With these few words, I commend my Resolution for the acceptance of the House.

The HONOURABLE MR. S. P. O'DONNELL: The Government are anxious that Muhammadan employees should receive adequate facilities for saying their Jumma prayers on Friday; and, as a matter of fact, as far back as 1913, the Government of India issued orders to all Departments of the

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Central Government that one hour's leave should be allowed for this purpose. So far as I am aware, no complaint of any kind that the time allowed was insufficient has ever been received, certainly no such complaint has reached me in the Home Department from any Muhammadan employee.

So far as Local Governments are concerned, the Government of India also at the same time commended to them the desirability of taking similar action, and, as the Honourable Mover has pointed out, a number of Local Governments have taken similar action.

The Government of India did not think it right at that time to issue orders to Local Governments on a matter which falls clearly within their jurisdiction, and it will be agreed by the Council I think that now that the Reforms Scheme has been introduced, and that Provincial Governments are enjoying a larger measure of autonomy; and further, now that certain Departments have been transferred to the control of Ministers, it would be impossible for the Government of India to issue orders on this matter to Local Governments. It would be particularly inappropriate, indeed impossible, for Government to issue orders to a Minister in charge of any department in which Muhammadans were employed, that he must allow a specified time to his Muhammadan employees to say their Jumma prayers. It is perfectly open to any Member of a local Legislative Council to raise the point if in his opinion the time allowed is not sufficient, and there is no reason whatever to suppose that Local Government on either the reserve or transferred side will be in any way unsympathetic on the subject.

At the same time, I am quite prepared, if it would meet the wishes of the Honourable Mover, to have copies of this debate forwarded to all Local Governments and to commend to them the desirability—if action has not already been taken—of taking steps to provide adequate facilities for their Muhammadan employees to say their Jumma prayers on Friday. Perhaps that will sufficiently meet the object which the Honourable Mover has in view.

THE HONOURABLE SAYYID RAZA ALI: At first I thought the remarks made by my Honourable Friend, Mr. O'Donnell, in support of the Resolution, were rather half-hearted, but he pulled up fortunately towards the end of his speech, and I think the pronouncement he has made on behalf of Government is one that I hope will meet the wishes of my Honourable Friend, the Mover of this Resolution.

I don't want to go into the question of reserved or transferred subjects. Much is sought to be made of those unfortunate facts by the Central Government when they are so disposed. I don't think there was occasion for the Honourable Member to have referred to that. The desire of my Honourable friend, the Mover, is that, whether it is a transferred or central subject, leave should be given to Muhammadan employees to enable them to say their Jumma prayers. The time, I must admit, is somewhat inconvenient, but the Local Governments should make it possible for such employees to say their prayers.

I am glad of the suggestion that has been made by the Honourable Mr. O'Donnell, and hope that a copy of this debate, with the remarks that were made by Mr. O'Donnell—and if I had my way I would erase the first portion of the speech made by him—will produce the desired effect, and that Local Governments will make suitable arrangements to enable these men to say their prayers. In view of the announcement on the part of Government, I would suggest to my Honourable friend whether it is not

proper to withdraw his Resolution, having regard to the fact that the Government of India have undertaken to send copies of the debate, with, I hope, more favourable remarks than those made at first by the Honourable Mr. O'Donnell, to the Local Governments.

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: The opening sentence of the speech delivered by the Honourable Mr. O'Donnell was that the Government were very anxious to afford every facility to their Muhammadan employees to offer their Jumma prayers. I am sure that my Honourable friend does not want that opening sentence erased.

The HONOURABLE NAWAB MOHAMED MUZAMMIL-ULLAH KHAN: Sir, I cordially support my Honourable Friend, Saiyid Raza Ali's remarks. It has been so sympathetically and reasonably suggested by the Honourable Home Secretary that the proceedings of to-day's debate should be sent to local Governments. I think it would be quite sufficient for the purpose of meeting the Resolution of the Honourable Mover and therefore I do not see any necessity for any more remarks on this subject, and I earnestly hope that my Honourable friend the Mover will find his way to withdraw the Resolution at this stage.

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN: Sir, I would ask the Honourable Mover not to agree with my friend here. As the Government is pledged, we Muhammadans can always have our prayers under the Government. But at some places the Juma Masjid is at times far away and I think the Local Governments, if any communication is sent to them at all, should calculate the time not as 2 hours or 3 hours, but the actual time that a man will have to spend from a particular place to the Juma Masjid and back and the time that he will require for prayers. Then, Sir, we are told in our religion that the Christians will always be our greatest friend, and we are very very thankful that we are under a Christian Government. When our prophet had a trouble, he sent all his relations to Abyssinia where there was a Christian King and when the King died he prayed for him. So we are very glad that the Government Member has very kindly promised that he will send a copy of this debate to the Local Governments. But why not pass this Resolution? What harm is there in passing this Resolution? I think there is no harm at all and I do believe that my Hindu friends would not object to it, and also my Christian friends.

The HONOURABLE DR. GANGANATH JHA: Sir, I suppose the Hindus rather than oppose this Resolution would welcome it because, if this Resolution is accepted and is acted upon, it opens the way to the resuscitation of various practices which are fast disappearing under the stress of modern conditions. I am quite sure if the Secretary of the All-India Hindu Sabha were present here, he would certainly have moved an amendment that a similar concession should be given to Hindu employees also. It is certainly a very refreshing prospect, Sir, that if this system is extended, it will alter our offices and workshops into veritable hermitages during certain parts of the day. It is a very refreshing prospect, as I said, and it would be perhaps a little embarrassing to the employers, but they will have the consolation that, according to our Scriptures, they also shall share in the merits of the religious practices because, according to our laws, just as the King is entitled to one-sixth of the produce of the land, so is he entitled also to one-sixth part of the merit of all religious rites that are performed in the country. Although this practice may be a little embarrassing to the employers in the beginning, yet the prospect of sharing the merit should, I think, be a great consolation.

The HONOURABLE DIWAN TEK CHAND: Sir, I rise to say a word or two on this Resolution. The practice in the Punjab Courts is that if any Muhammadan official who wishes to say mid-day prayers on a Friday and applies to the Head of his office he is allowed to leave the office for an hour or so. Small mosques or prayer-platforms are generally erected in or near the Court compound, and no Muhammadan is inconvenienced in discharging his religious obligations. During my 26 years' service no Muhammadan official has ever complained to me that he has not been given permission to say his prayers on Fridays or indeed on any other day in the week.

I do not think Muhammadans really require two hours for the Friday prayers. One hour is, I think, considered sufficient by them if a mosque is near. At Karachi people go to the Central mosque at 1.45 P.M. The *Sunnats* take about 15 minutes and the *Khutba* begins at 2 and lasts 20 minutes. Then commence the *Farz* which last 6 or 7 minutes and the *Dua* lasting 3 or 4 minutes. Another round of *Shunnats* takes 10 minutes followed by *Dua* for 3 or 4 minutes. The total thus comes to either 57 minutes or 60 minutes. In rare cases where no mosque exists near an office or a Court-room, or where any particular individual wishes to go to the Juma Masjid in a big town or a City, it may be necessary to extend the time-limit to an hour and a half or even two hours. But in all cases whether the leave allowed is one hour or two hours the interval thus spent should be made up by working extra time after 4 P.M. Otherwise the Hindu officials would want similar concessions on the *Ekadashi* and even on Amavash days when it is really inconvenient for them to attend office before 12 o'clock.

I may bring to the notice of the House that I know the instance of an English official who is a seventh day adventist and who does not work on Saturdays. His superior officer does not raise any objection because the official concerned makes up his deficiency by working on Sundays.

I am in full sympathy with this Resolution, but I venture to suggest that it may be amended as follows:

The HONOURABLE SAIYED RAZA ALI: As the Honourable gentleman is going to withdraw his motion, is the Honourable Member in order in proposing an amendment?

The HONOURABLE THE PRESIDENT: The Honourable Speaker is in possession of the House and is perfectly in order in moving an amendment.

The HONOURABLE DIWAN TEK CHAND: For the words 'shall be granted two hours' holiday for saying their Jumma prayers on Fridays,' I would substitute the following words:—

'May be allowed a recess for a time not exceeding two hours for saying their Jumma prayers on Fridays, provided that they agree to work for equivalent time after office hours, if required to do so by their official superior.'

The HONOURABLE THE PRESIDENT: Amendment moved is that for words 'shall be granted two hours' holiday, for saying their Jumma prayers on Fridays' the following words may be substituted:—

'May be allowed a recess for a time not exceeding two hours for saying their Jumma prayers on Fridays, provided that they agree to work for equivalent time after office hours, if required to do so by their official superior.'

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN: Sir, on this amendment I hope you will give me a chance to say one or two words more. I think we are thankful to our Hindu brothers, but there is an interference in our religious duties and if I say something in a discordant tone I hope they will not mind.

The HONOURABLE THE PRESIDENT: I hope whatever the Honourable Member says will be relevant to the amendment.

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN: What I want to say is that we should not be penalised for offering our prayers and keeping this fact in view. I hope the House will reject this amendment when the question is one of religion.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: Sir, I am sorry that after the Honourable Member from the official bench had given a sympathetic answer, some of the members both official and non-official have raised objections and suggested an amendment. One Honourable Member has said that a similar concession should be extended to Hindus also. This shows that my Honourable friend, Dr. Ganganath Jha, is rather prejudiced over this Resolution. This is a privilege which the Muhammadans have been enjoying for a long time and any obstacles sought to be put in their way by Hindu Members will be considered an insult to our community. We are not jealous of the number of holidays which Hindus have been getting over and above those the Muhammadans are getting. If the Honourable Member really thinks that Hindus should also be given any other concession similar to this he is welcome to bring a motion before the Government and get it put before this Council. Sir, I am very sorry that he should say anything about this suggestion at all.

With regard to the hours, I know, as the Honourable Sir Umar Hayat Khan has said, that there are some mosques near to the offices and in some places there are mosques very far from the offices. My only request is that Muhammadans be given two hours maximum leave. If, as the Honourable Diwan Tek Chand has said, mosques are situated within the office compound, surely no Muhammadan would ask for two hours leave and leave all his office work. It is a well known fact that the employees are always working overtime both in the mornings and in the evenings, if they find their services are necessary, and for this they get no extra remuneration or overtime fees whatever. If, on the other hand, any restriction is imposed with regard to the religious duty for which leave is asked, I think it will be an insult to the Muhammadan community.

Of course, I have nothing more to say, as the Honourable Member representing the Government has said that he will do his best. The only question on which I wish to say a few words is that about which the Honourable Saiyid Raza Ali touched, namely, that there is no use in simply sending copies of this Resolution to the Local Governments unless the Honourable Member will also send his favourable remarks. As it stands, this is a reserved subject and is not in the hands of the Ministers. Unless the Government of India will come forward and recommend similar concession, I am afraid they will not give due regard to it. In the year 1913, when the Honourable Sir Reginald Craddock answered a question on this subject, he simply said that the Muhammadan employees in the Government of India Secretariat were getting this leave. My present Resolution is that Muhammadan employees in all the Courts and public offices in India should be given this leave. If the former order is restricted

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only to the Government of India Secretariat, I hope the Honourable Member will extend it according to the present Resolution.

With these few words, in view of the sympathetic answer given by the Honourable Member representing the Government, I withdraw my Resolution.

THE HONOURABLE THE PRESIDENT: The Honourable Member cannot withdraw his Resolution, nor can I put the question that leave be given to him to withdraw it, until the amendment is disposed of. Does the Honourable Member withdraw his amendment?

THE HONOURABLE DIWAN TEK CHAND: If the Honourable Member wishes to withdraw his Resolution, I will withdraw my amendment.

THE HONOURABLE THE PRESIDENT: The Honourable Member must first ask for leave to withdraw his amendment.

THE HONOURABLE DIWAN TEK CHAND: I withdraw my amendment.

THE HONOURABLE THE PRESIDENT: Is it your pleasure that the Honourable Diwan Tek Chand have leave to withdraw his amendment? If there is a single dissentient voice, I must put the amendment to the Council.

There being no dissentient voice, the amendment was, by leave of the Council, withdrawn.

THE HONOURABLE THE PRESIDENT: Is it your pleasure that the Honourable Mr. Maricair have leave to withdraw his Resolution?

THE HONOURABLE COLONEL SIR UMAR HAYAT KHAN: No.

THE HONOURABLE THE PRESIDENT: Then I must put the Resolution to the House.

THE HONOURABLE SAIYID RAZA ALI: On a point of order, may I just ask whether, if this Council by a majority gives leave to withdraw a Resolution, it should be taken as withdrawn.

THE HONOURABLE THE PRESIDENT: The practice is that the question is not put to the House until I ask whether it is the pleasure of the House that leave be given to withdraw. If a single Member objects, the question must be put. That is the Parliamentary practice, and that is the practice of the Chair.

The question is that the following Resolution be adopted:

'This Council recommends to the Governor General that he may be pleased to pass necessary orders that all the Muhammadan employees of all the Courts and public offices in all the provinces, including the Central Government offices, shall be granted two hours' holiday for saying their Jumma prayers on Fridays.'

The Resolution was rejected.

The Council then adjourned till Tuesday, the 21st March, 1922, at Eleven of the Clock.