

25th March, 1922

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**LEGISLATIVE ASSEMBLY DEBATES**  
(Official Report)

**VOLUME II**  
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SECOND SESSION

OF THE  
**LEGISLATIVE ASSEMBLY, 1922**



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# CONTENTS.

TUESDAY, 28TH FEBRUARY, 1922 . . . . . 2617-2652

- Questions and Answers.
- Unstarred Questions and Answers.
- Votable and Non-votable Heads of Expenditure.
- The Code of Civil Procedure (Amendment) Bill.
- The Land Acquisition (Amendment) Bill.
- The Code of Criminal Procedure (Amendment) Bill.
- The Code of Criminal Procedure (Amendment) Bill.
- The Hindu Coparcener's Liability Bill.
- The Married Women's Property (Amendment) Bill.
- The Indian Penal Code (Amendment) Bill.

WEDNESDAY, 1ST MARCH, 1922 . . . . . 2653-2688

- Budget for 1922-23.
- Message from the Council of State.
- The Delhi University Bill.
- The Indian Finance Bill.
- The Police (Incitement to Disaffection) Bill.
- The Press Law Repeal and Amendment Bill.
- Messages from the Council of State.

THURSDAY, 2ND MARCH, 1922 . . . . . 2689-2739

- Governor General's Assent to Bill.
- Statement of Business.
- Governor General's Assent to Amended Standing Orders.
- Resolution re: Establishment of Railway Industries.
- Resolution re: Relief for Distressed Parts of Malabar.
- Resolution re: Privy Council in India.
- Reading of Newspapers in the Chamber.

MONDAY, 6TH MARCH, 1922 . . . . . 2741-2812

- Oath.
- Questions and Answers.
- Unstarred Questions and Answers.
- Message from H. E. the Governor General.
- Time-limit for Speeches in Budget Debate.
- General Discussion on the Budget.

TUESDAY, 7TH MARCH, 1922 . . . . . 2813-2899

- Unstarred Questions and Answers.
- General Discussion on the Budget—*contd.*
- Vol. II—Pt. III.

WEDNESDAY, 8TH MARCH, 1922

2901-2914

Statements laid on the Table.  
Governor General's Assent to Bills.  
The Indian Ports (Amendment) Bill.  
The Indian Official Secrets Bill.  
The Cotton Transport Bill.  
The Hindu Ceremonial Emoluments Bill.

THURSDAY, 9TH MARCH, 1922

2915-2966

Communication from Mr. Speaker.  
Business for the week ending March 13th.  
Resolution *re*: Release of Ali Brothers.  
Resolution *re*: Committee of Inquiry on the causes of the Moplah  
Outbreak.  
Resolution *re*: Committee on Railway Risk Notes.  
Resolution *re*: Re-institution of the Ports of Chittagong and  
Calcutta for the Hedjaz Pilgrim Traffic.

SATURDAY, 11TH MARCH, 1922

2967-2998

Statement laid on the Table.  
Questions and Answers.  
Unstarred Question and Answer.  
The Resignation of Mr. Montagu.  
Election of Committee on Public Accounts.  
Election of Standing Finance Committee.  
Demands for Supplementary Grants.

TUESDAY, 14TH MARCH, 1922

2999-3077

Statement laid on the Table.  
Questions and Answers.  
Unstarred Questions and Answers.  
Motion for Adjournment.  
The Budget—List of Demands—*contd.*

WEDNESDAY, 15TH MARCH, 1922

3079-3144

Oath.  
The Hindu Ceremonial Emoluments Bill.  
The Budget—List of Demands—*contd.*

THURSDAY, 16TH MARCH, 1922

3145-3219

Questions and Answers.  
Unstarred Questions and Answers.  
Message of Farewell to H. R. H. the Prince of Wales.  
Statement of Business.  
The Budget—List of Demands—*contd.*

FRIDAY, 17TH MARCH, 1922

. 3221-3312

Question and Answer.  
Unstarred Question and Answer.  
Bill passed by the Council of State.  
The Budget—List of Demands—*contd*

SATURDAY, 18TH MARCH, 1922 . . . . . 3313-3339

Questions and Answers.  
Unstarred Questions and Answers.  
Financial Adjustment between the Home Government and the Government of India.  
Uninterrupted sitting of the Assembly.  
Message from H. R. H. the Prince of Wales.  
The Budget—List of Demands—*concl'd*.  
Resolution *re*: Re-appropriation between Demands in the matter of Reduction.

MONDAY, 20TH MARCH, 1922 . . . . . 3391-3472

Questions and Answers.  
Unstarred Questions and Answers.  
Library of the Indian Legislature.  
Motion for Adjournment.  
The Budget—The Indian Finance Bill.

TUESDAY, 21ST MARCH, 1922 . . . . . 3473-3553

The Budget—The Indian Finance Bill—*contd*.

WEDNESDAY, 22ND MARCH, 1922 . . . . . 3555-3618

Statements laid on the Table.  
Bill passed by the Council of State.  
Precedence for Finance Bill.  
Motion for Adjournment.  
The Budget—The Indian Finance Bill—*concl'd*.

THURSDAY, 23RD MARCH, 1922 . . . . . 3619-3677

Questions and Answers.  
References to Proceedings in another place.  
Unstarred Questions and Answers.  
Statement of Business.  
Resolution *re*: Election by Indian Legislature of Representatives of India to Imperial and International Conferences.  
Resolution *re*: Measures for increasing Cotton Cultivation in India  
Resolution *re*: abolition of Posts of Divisional Commissioners.  
Resolution *re*: Measures for providing cheap and speedy justice in India.  
Resolution *re*: Appointment of Council Secretaries.



SATURDAY, 25TH MARCH, 1922 . . . . .

PAGE  
3679-3722

Message from the Council of State.  
Election of Public Accounts Committee.  
Election of Standing Finance Committee.  
The Indian Merchant Shipping Bill.  
The Indian Ports (Amendment) Bill.  
The Cotton Transport Bill.  
The Press Law Repeal and Amendment Bill.  
The Indian Official Secrets Bill.  
The Criminal Tribes (Amendment) Bill.  
Resolution *re*: India's participation in the British India Exhibition.  
The Hindu Coparcener's Liability Bill.  
Resolution *re*: Message of Regret at the Resignation of Mr. Montagu.

MONDAY, 27TH MARCH, 1922 . . . . . 3723-3769

Statements laid on the Table.  
Questions and Answers.  
Unstarred Questions and Answers.  
Election for the Public Accounts and the Standing Finance Committees.  
The Ranchi Mental Hospital Bill.  
The Criminal Tribes (Amendment) Bill.  
The Cantonments (House Accommodation) Amendment Bill.  
Resolution *re*: Adoption of Railway Finance Committee's Proposals.

TUESDAY, 28TH MARCH, 1922 . . . . . 3771-3850

Questions and Answers.  
Present Position as regards Burma Reforms.  
Unstarred Questions and Answers.  
Motion for Adjournment.  
Governor General's Assent to the Indian Finance Bill.  
The Hindu Ceremonial Emoluments Bill.  
The Indian Penal Code (Amendment) Bill.  
The Charitable and Religious Trusts (Amendment) Bill.  
Message from the Council of State.  
Resolution *re*: Appointment of Council Secretaries.  
Motion for Adjournment.  
Prorogation of the Session.

APPENDICES . . . . . 1-25

Vernacular Speeches and Translations.

INDEX . . . . . 1-131

# LEGISLATIVE ASSEMBLY.

*Saturday, 25th March, 1922.*

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

## MESSAGE FROM THE COUNCIL OF STATE.

**Mr. President:** A Message has been received from the Secretary to the Council of State.

**Secretary of the Assembly:** Sir, the Message runs as follows :

*'I am directed to inform you that the Council of State at its meeting of the 24th March, 1922, agreed, without amendment, to the Bill to fix the duty on salt manufactured in or imported by land into certain parts of British India, further to amend the Indian Tariff Act, 1894, and the Indian Post Office Act, 1898, to amend the Indian Paper Currency (Amendment) Act, 1920, to impose an excise duty on kerosene, to fix rates of income-tax and abolish the freight tax, which was passed by the Legislative Assembly at its meeting of the 22nd March, 1922.'*

## ELECTION OF PUBLIC ACCOUNTS COMMITTEE.

**Mr. President:** The Assembly will now proceed to the election of Members to serve on the Committee on Public Accounts. In this election, only non-official Members will take part.

I have been informed that one Member, Mr. Cotelingham, does not desire to serve on the Committee on Public Accounts. His name is printed in error on the ballot paper. Therefore, any Member registering a vote in favour of Mr. Cotelingham will note that that vote is of no value.

As there are a number of names on the ballot paper, I must draw the attention of Members to the fact that they should be careful to place the number representing their votes with care and exactly opposite the name or names for which they desire to vote. The procedure has been already laid down and it is well known to Members, namely that of a single transferable vote. They should place the figure 1 opposite the name for which they wish to vote first, the figure 2 opposite the second and so on. There are 8 members to be elected to serve on the Committee on Public Accounts.

**Munshi Iswar Saran** (Cities of the United Provinces : Non-Muham-madan Urban) : The names are printed closely. Could we draw a line and then put down the number ?

**Mr. President:** Members should be careful to indicate exactly their preference. The numbers will be put in the left hand column immediately opposite the name and if a line is drawn carefully from the name to the number so as to indicate exactly the position of the number, there will be no objection to that, but I have to warn Honourable Members that any further marking of the paper will invalidate it.

(The election then commenced).

**Mr. President:** Have all Honourable Members recorded their votes for the election of Members to the Committee on Public Accounts? -

*Honourable Members:* Yes.

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### ELECTION OF STANDING FINANCE COMMITTEE.

**Mr. President:** The Assembly will now proceed to elect Members to the Standing Finance Committee. You will find on the ballot paper the names of Sardar Gulab Sing, Dr. Nand Lal and Mr. Kabraji are already erased from the list. I have received subsequent information that Maulvi Abul Kasem and Mr. Braja Sundar Das do not wish to serve.

The election then commenced.

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### THE INDIAN MERCHANT SHIPPING BILL.

**The Honourable Mr. C. A. Innes** (Commerce and Industries Member) : I beg to move, Sir :

‘That the Bill to consolidate certain enactments relating to Merchant Shipping, as passed by the Council of State, be taken into consideration.’

I hope, Sir, that the House will not think me guilty of impropriety if I make a motion which relates to a very bulky Bill in a very few words. The Bill relates to form rather than to substance, and I hope that it may be regarded as entirely non-controversial.

The facts of the matter are these. Our law relating to Merchant Shipping in India is at present in a state of very great confusion. It is contained in twenty-one separate enactments covering a period of over 60 years, and the House will readily realise how difficult it is, whether for ship-owners, or for sea captains, or for Maritime Local Governments, or for the Government of India, to ascertain the law on any particular point. Moreover, our law is in many respects defective and is in urgent need of amendment. Consequently, when at the beginning of last autumn, the Government of India appointed a Statute Law Revision Committee, under the presidency of the Honourable Sir Alexander Muddiman, they directed the attention of that Committee to the importance of a very early examination of the Merchant Shipping Law in India. The Statute Law Revision Committee have made that examination and they have arrived at the conclusion that in this case consolidation must be a condition precedent to amendment. We are dealing with a large number of separate enactments; moreover, these enactments interlock and refer to one another. A Bill to amend all or any of these twenty-one separate enactments would be an extremely difficult Bill for the Government to prepare and an extremely difficult Bill for any deliberative Assembly to understand. Consequently, the Statute Law Revision Committee has prepared a Consolidation Bill, a Consolidation Bill pure and simple. In this Bill they give us a picture of our law as it is at present in an orderly and connected form, and their intention is that this Bill should be the basis and the groundwork for a subsequent amending Bill. That is why I have described this Bill as non-controversial. The time for argument will come when we present our amending Bill. Then the House will have the fullest opportunity for criticism. The important thing,

as the Honourable Sir Alexander Muddiman has pointed out in another place, is to keep consolidation and amendment separate. We have had this matter under consideration on more than one occasion before and the Honourable Sir Alexander Muddiman has suggested that the reason why our Bills were wrecked before was that we had tried to do too much, that we had tried not only to consolidate but to amend. The House, therefore, will see that this is merely a Consolidation Bill, which is intended to be the groundwork for a subsequent amending Bill. The amending Bill will be taken up as soon as possible and will be placed before this Assembly with the least possible delay. I cannot bind myself to any definite date but I hope that it will be either in the Simla Session or in the next Delhi Session.

The main difficulty in this case is to decide exactly what course we should pursue. One course is that we should pass this Bill into law but not bring it into effect. That was the course which was originally suggested by the Legislative Department, and the House will see that the next motion on the paper is that this Bill should be passed. But there is one objection, I think, to that course. If we pass the Bill now, even though we do not put it into operation, it technically becomes law. It would have to be printed up in the general Acts of the Government of India, and that would be a matter of considerable expense. Therefore, if the House agrees, I propose to take another course. I propose to-day merely to ask the House to take the Bill into consideration. Then, when I have my amending Bill ready, I shall ask the House to pass formally this Bill into law so that the Bill may be the groundwork for our amending Bill. I then propose to introduce the amending Bill and to refer that Bill, if the House agrees, to a Select Committee, and, when the report of the Select Committee has been received, and when the House has made up its mind on all the controversial points which will be raised, then the idea is that we should take the amending Bill up to its final stage but not actually pass it into law; and then we are advised that the best thing to do is to refer both the Consolidation Act and the amending Bill back to a Committee in order that a final non-controversial consolidation and amending Bill may be placed before the House. As I have explained before, the House will see that, in the circumstances which I have now stated, this Bill is purely the fore-runner of an amending Bill and that it is not intended in any way to be a controversial Bill.

I move, Sir :

‘ That the Bill be taken into consideration. ’

**Mr. J. N. Mukherjee** (Calcutta Suburbs : Non-Muhammadan Urban) : Sir, I should like to have more light thrown on the subject, as well as on the present condition of the Bill, and I should like also to have more information as to the best course that should be adopted in steering the Bill in this House in the face of the Statement of Objects and Reasons that we find printed along with it. It is said there :

‘ The Bill is an imperfect consolidation of the law in one important respect. It leaves untouched the Indian law relating to the registration of ships. That law is contained in Act XIX of 1838 and Act X of 1841, and its amending Acts. The latter Acts were passed in virtue of Acts of Parliament which have been repealed, and though their provisions are saved there is no power to re-enact them even if it were desirable to do so ! And so forth. ’

Then, further down, in paragraph 3, it is said :

‘ They do not however recommend that it should be passed into law in its present shape. It is abundantly evident that numerous amendments of the law are called for, some of

[Mr. J. N. Mukherjee.]

which they have indicated in the Notes on Clauses. We recommend that the passage of the present Bill should be suspended at some convenient stage in its consideration by the Indian Legislature, and that an amending Bill drawn to harmonize with this consolidating measure should, when all controversial points have been decided, be referred for amalgamation with the present Bill.'

Now, my submission to the House is that if this Bill be passed in its present form at once with these defects left there as they are and  
12 Noon. then after it becomes an Act to-day, as the agenda papers for to-day lays down for our programme an amending Act, embodying different amendments of the law on the subject be subsequently brought forward to be amalgamated with the present Act, will it sufficiently answer the purpose which admittedly has to be served as indicated in the Statement of Objects and Reasons? If that was possible, I should certainly have no objection; but it does not appear to be so. The Bill could be kept in suspension now if it was circulated for opinion in order that before it is passed into law, further light might be thrown on the subject. As this is the proper time, Sir, when an objection like mine has to be brought forward I would move for circulation of the Bill if my doubts were not removed because after the Bill is taken into consideration the next step will, of course, if there was no Select Committee and no circulation—and, I understand, this Bill is not going to be subjected at present to that course of procedure,—be, that the Bill will be passed; and I am afraid that the method suggested by to-day's programme of business if followed might not serve our purpose. I did not wish formally to move that the Bill be circulated for opinion; but if our object be not served by carrying out to-day's agenda, I shall have to move that the Bill be circulated for opinion. I understand, however, that the Bill will be left as it is; that is what I understand from what Mr. Innes has said. Admittedly there are these defects in the Bill as pointed out by its framers. Certain amendments in certain other Acts will have to be made and then, it is proposed, attempt will be made to bring them into harmony with the consolidated Acts. To my mind difficulty will arise and such a step will be difficult to be taken if the Bill be passed into law at once. We shall in that case have to abandon the work of consolidation, and should have then simply to walk into the other groove of amending certain other Acts and to deal with the amending process alone. But so far as the purpose of consolidation as indicated in the Statements of Objects and Reasons is concerned, it will, I fear, have to remain unachieved. I shall wait and see if any explanation is forthcoming assuring the House that no such difficulty will arise in future. I will not press my motion if such an assurance is given, otherwise I move:

'That the Bill be circulated for opinion'

because that motion, if accepted by the House, will keep the Bill in suspense, and the next stage of passing it into law will by this process be postponed. If the two things, namely, the processes of consolidation and amendment be resorted to separately but simultaneously, we may gain the object for which the framers of the Bill are striving.

**Mr. B. S. Kamat** (Bombay Central Division: Non-Muhammadan Rural): Sir, there is just one very small point to which I wish to invite the attention of the Honourable Mr. Innes. I find the term 'native seamen' used in this Bill, in the table of contents, section 40, page 2. I wish the phraseology to be changed and the term 'native seamen' should, as far as

possible, be avoided in every Statute of this Legislature. I hope the Honourable Mr. Innes will make it a point not to use the term 'native seamen' when he brings in the amending Bill.

**The Honourable Mr. C. A. Innes :** I am quite willing, Sir, to give the assurance asked for by Mr. Kamat. Many of our Shipping Acts date back to a very early period and they contain that term which is now falling more and more into disuse. If the term is retained anywhere in this Bill, we will certainly take the opportunity of eliminating it later on.

As regards Mr. Mukherjee's point, Sir, I am afraid I was not able to follow him very well. I myself cannot see the object in circulating for opinion a Bill which is a pure consolidating Bill and which makes no change in the law at all. That is the first difficulty I see. It is perfectly true that in the Notes on Clauses the Statute Law Revision Committee has pointed out certain amendments that are necessary; but those amendments will be brought in in our amending Bill. I think, Sir, that the best plan is to leave this Bill at its present stage for consideration and to give us an opportunity of bringing forward later on an amending Bill, a Bill which will amend this Bill in fact. The reason why I propose that this Bill be formally at a later stage passed into law is that we may have an Act, not in operation, but an Act stating our existing law on which we can base an amending Bill. In these circumstances, Sir, I hope Mr. Mukherjee will not press his suggestion that we should circulate a pure consolidating Bill.

**Mr. J. N. Mukherjee :** Under these circumstances, Sir, if the true purpose of the Bill be achieved, that is, if the defect of consolidation be remedied, before the present Bill becomes law, I have certainly no object in pressing for circulation. I will withdraw my motion.

The amendment was, by leave of the Assembly, withdrawn.

**Mr. N. M. Joshi (Nominated : Labour Interests) :** Sir, I should like to know from the Honourable Mr. Innes whether he is going to consult the public when he brings forward his amending Bill. I myself have got some amendments to propose to Government, and, therefore, if Government consults the public and the Members of this Assembly, before they bring forward their amending Bill, I think it will be very convenient.

**The Honourable Mr. C. A. Innes :** It will certainly be a point for consideration when the amending Bill has been prepared, and also a point for decision by the Assembly. It will be open to the Assembly to move that the Bill be circulated for opinion.

**Mr. President :** The question is :

'That the Bill to consolidate certain enactments relating to Merchant Shipping, as passed by the Council of State, be taken into consideration.'

The motion was adopted.

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## THE INDIAN PORTS (AMENDMENT) BILL.

**The Honourable Mr. C. A. Innes (Commerce and Industries Member) :** I beg to move :

'That the Bill to regulate the employment of child labour in ports in British India be further considered.'

[ Mr. C. A. Innes. ]

The House will remember, Sir, that a few days ago this Bill was brought under consideration. My friend, Mr. Joshi, raised a difficulty about the interpretation of the Bill, and a question whether the Bill as drafted carried out the intention of Article 6 of the Convention, fixing the minimum age for the admission of children to industrial employment. Accordingly the consideration of the Bill was postponed. We have now discussed the exact intention of Article 6 of this Convention with Mr. Joshi. We are still in the same difficulty as to what the exact intention of the International Labour Organisation was, but we have arrived at the conclusion that it really makes very little difference, in fact no difference at all, whether we retain or not the words to which my friend, Mr. Joshi, took exception, namely, the words 'excluding transport by land'. In these circumstances, Sir, I have to state that Government are prepared to accept the amendment which Mr. Joshi is about to move.

**Mr. President :** When the consideration of this measure was adjourned, the question was that clause 2 stand part of the Bill. There is some doubt whether the Honourable Member actually moved his amendment then ; he will, therefore, do it now.

**Mr. N. M. Joshi** (Nominated Labour Interests) : I beg to move, Sir :

'That in clause 2 (a) of the Bill the words 'other than goods which can be transported by hand' be omitted.'

As the Government has very kindly accepted my amendment, I do not think I need say anything on this matter. I hope that the House will accept the amendment.

The motion was adopted.

Clause 2, as amended, was added to the Bill. The Preamble and Title were added to the Bill.

**The Honourable Mr. C. A. Innes :** I move, Sir, that the Bill, as amended, be passed.

The motion was adopted.

## THE COTTON TRANSPORT BILL.

**The Honourable Mr. C. A. Innes** (Commerce and Industries Member) : I beg to move, Sir :

'That the Bill to provide for the restriction and control of the transport of cotton in certain circumstances be circulated for the purpose of eliciting opinion thereon.'

I explained very fully, Sir, at the meeting of the 8th March the reasons why the Government had thought it necessary to introduce the Cotton Transport Bill. I stated in my speech that the question was one of some importance, that the Government had no desire to rush the legislation through, and that their next motion would be that the Bill should be circulated for opinion. That, Sir, is the reason why I make this motion to-day.

The motion was adopted.

## THE PRESS LAW REPEAL AND AMENDMENT BILL.

**The Honourable Sir William Vincent** (Home Member) : Sir, I move :

‘That the Report of the Select Committee on the Bill to repeal the Indian Press Act, 1910, and the Newspapers (Incitements to Offences) Act, 1908, and to make certain provisions in regard to the liability of editors of newspapers, and to facilitate the registration of printers and publishers; and to provide for the seizure and disposal of certain documents, be taken into consideration.’

In my speech introducing this Bill on the 15th September, I explained its origin and scope. I will now confine myself to the changes made by the Select Committee which are not for the most part of very great importance. The first change relates to clause 2. In their Report the Press Committee recommended that in the case of all newspapers the names of the responsible editors should be clearly printed on the front sheet. This has been objected to in some quarters, and the Select Committee think it will serve all reasonable purposes if without giving undue prominence to the name of the editor of the newspaper on the front page, it is printed in some part of each issue, and I hope that this may remove the objection taken in the original recommendation. There are two small amendments in clause 5 which will leave greater latitude to the Magistrate making the inquiry contemplated by new section 8-A in certain cases. The Magistrate also has under the Bill as amended been given power to extend the period within which a declaration may be made by a person whose name has been incorrectly published as an editor. Then there is a reduction in the amount of fine which may be imposed for certain offences under the Act of 1867. In the Bill as originally introduced, we proposed a reduction in the term of imprisonment, and the Select Committee think that the amount of fine should similarly be reduced.

There are changes also in sub-section (2) of the new section 181-A of the Sea Customs Act and in the amendments relating to the Indian Post Office Act, and the Bill as amended requires the Post Office employé or the customs Officer where this is possible to give notice to the addressee of any article seized. I do not think that there is anything else to which I need draw attention on the present occasion. The report and the Bill have been before the House fully, and if there is any other point on which I can give any information, I shall be glad to do so.

**Sir P. S. Sivaswamy Aiyer** (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Sir, may I ask the Honourable Mover what is the necessity for clause 2 (2) in view of the provisions of the General Clauses Act?

**The Honourable Sir William Vincent** : That is a matter on which we accepted the advice of the expert department; possibly they inserted the provisions *ex majori cautela*. That is all I can say. I do not deal with the drafting of Bill but only the principles.

**Sir P. S. Sivaswamy Aiyer** : Clause 6 of the General Clauses Act says that ‘the repeal of an enactment shall not operate, unless a different intention appears, to cancel a forfeiture or affects anything done under the Act.....’ and therefore it seems perfectly unnecessary as a matter of drafting.

**The Honourable Sir William Vincent** : I am not going to enter into a discussion on a point of law with the Honourable Member. As I said,



[ Sir William Vincent. ]

I am dependent on the expert department. At any rate, the Honourable Member must admit that even if he is right and this amendment is unnecessary, it can do no harm.

**The Honourable Dr. T. B. Sapru** (Law Member): Sir, may I point out to my Honourable friend opposite that it was at the express desire of some Members who were very anxious that nothing should be left in a state of doubt that this clause was really introduced.

**Sir P. S. Sivaswamy Aiyer**: Is it the opinion of the Honourable the Law Member that it is necessary?

**The Honourable Dr. T. B. Sapru**: If the Honourable Member wishes to take it out, I have no objection at all for my part.

**Dr. Nand Lal** (West Punjab: Non-Muhammadan): Sir, to my mind, sub-clause (b) in clause 2 of the First Schedule seems to be unnecessary. It reads as follows:

‘Every copy of every such newspaper shall contain the name of the person who is the editor thereof printed clearly on such copy as the name of the editor of that newspaper’.

This is really not necessary, because it will cause a great deal of inconvenience. When I submit that, I feel supported by another clause. Sir, you will kindly peruse under clause 5 the new section 8-A, which reads as follows:

‘If any person, whose name has appeared as editor on a copy of a newspaper, claims that he was not the editor of the issue on which his name has so appeared, he may, within two weeks of his becoming aware that his name has been so published, appear before a District, Presidency or Sub-Divisional Magistrate, and make a declaration that his name was incorrectly published in that issue as that of the editor thereof . . . . .’

Sir, you will agree with me that this clause also is not only inconvenient but also unnecessary, and, therefore, I respectfully submit that the insertion of (b) under clause 2 and 8-A under clause 5 be deleted, if the author of this Bill has got no objection.

**The Honourable Dr. T. B. Sapru**: Sir, I think it is necessary that I must explain the genesis of this clause in this Bill. When the Press Act Committee met at Simla, they recorded the evidence of a considerable number of editors of various newspapers, and one of the questions which we had to consider at that time was how best to take power to fix responsibility on the editor of a newspaper. The Committee gave their most anxious and careful consideration to the various suggestions which were made, and I hope my colleagues on that Committee will recollect that a great deal of stress was laid by witness after witness, most of whom, in fact almost everyone of whom, belonged to the journalistic profession, that it would be a good thing if the editor's name could appear. We were very anxious ourselves as to whether we could not find any other better means. The same question was raised, if I may say so, in the Select Committee, but unfortunately where we failed was that we did not receive the advice of my Honourable friend, Dr. Nand Lal, then. Now if he is prepared to make a better suggestion which will appeal to the House, I think I shall myself feel grateful. But I can assure the House in all sincerity that having made most genuine attempts to come to a solution we thought that this was the best that we could arrive at, and I

appeal to the House not to allow a question of this character to be raised when there is no constructive alternative put before it. (Hear, hear.)

I will, therefore, ask the House to reject the amendment. (*Several Voices*: 'There is no amendment. No amendment has been moved.') I will, therefore, ask the House to accept the clause of the Bill as it stands.

**Mr. President:** The question is:

'That the Report of the Select Committee on the Bill to repeal the Indian Press Act 1910, and the Newspapers (Incitements to Offences) Act, 1908, and to make certain provisions in regard to the liability of editors of newspapers, and to facilitate the registration of printers and publishers; and to provide for the seizure and disposal of certain documents, be taken into consideration.'

The motion was adopted.

Clauses 1, 2, 3, 4, 5, and 6 and Schedules I and II were added to the Bill.

**Mr. President:** The question is that Schedule III stand part of the Bill.

**The Honourable Sir William Vincent:** Sir, the amendments I propose here are purely drafting amendments which have been suggested to me by the Legislative Department after the Report of the Select Committee was passed. They are, I think, improvements. Honourable Members will see that I propose that for the words 'such newspaper' the words 'every copy of the issue of the newspaper containing such matter and every copy of such' should be substituted. That makes the law much clearer as to what may really be confiscated and makes the law very much more intelligible. The same remarks apply to the second and third portions of this amendment. I do not know whether it is necessary to read the terms of the amendments. Otherwise, I will content myself with saying that I move the amendments which stand in my name.

**Mr. President:** Amendment moved:

'That in clause I of the Third Schedule to the Bill, the following amendments be made, namely:

1. That in clause (b) of sub-section (1) of section 99-A, proposed to be inserted in the Code of Criminal Procedure, 1898:

(a) for the words 'such newspaper' the following words shall be substituted, namely:

'every copy of the issue of the newspaper containing such matter, and every copy of such'; and

(b) for the words 'the newspaper' the words 'any copy of such issue or any such' shall be substituted.'

**Sir P. S. Sivaswamy Aiyer:** Sir, I should like to have an explanation as to the intention of this amendment. The amendment is to substitute the words 'every copy of the issue of the newspaper containing such matter'. It does not stop there. It goes on to say 'and every copy of such newspaper'. What I wish to know is whether the intention is to forfeit not merely copies of the offending issue but every issue of that newspaper. I am not raising any objection on the merits. What I wish to know is what exactly is the intention of the framer of the amendment,—whether the amendment is intended to empower the forfeiture not merely of all copies of the offending issue but also of all other issues. Apparently, the latter would seem to be the meaning to be inferred from the words 'and every copy of such

[ Sir P. S. Sivaswamy Aiyer. ]

newspaper' as contra-distinguished from 'every copy of the issue of the newspaper'.

**The Honourable Dr. T. B. Saprú :** I should have thought that there was no room for doubt with regard to the meaning of these words which are sought to be substituted. The words which are sought to be substituted are 'every copy of the issue of the newspaper containing such matter and every copy of the newspaper' the meaning thereof being 'every copy of the newspaper which contains the offending matter.' That is the intention. Every copy of the newspaper which contains the offending matter is liable to forfeiture.

**Sir P. S. Sivaswamy Aiyer :** The purpose would seem to be quite capable of being fulfilled by the words 'every copy of the issue of the newspaper containing such matter'. Where is the necessity for going on to say 'and every copy of such newspaper'?

**Mr. J. Chaudhuri** (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): It is not so, Sir. It means 'every copy of such book or other document.'

**The Honourable Dr. T. B. Saprú :** 'and every copy of such book or other document containing such matter.'

**Mr. President :** The amended clause will read :

'Where—

(b) any document

wherever printed, appears to the Local Government to contain any seditious matter, that is to say, any matter the publication of which is punishable under section 124-A of the Indian Penal Code, the Local Government may, by notification in the local official Gazette, stating the grounds of its opinion, declare every copy of the issue of the newspaper containing such matter, and every copy of such book or other document to be forfeited to His Majesty, etc.'

**The Honourable Dr. T. B. Saprú :** If I may point out, Sir, these words 'and every copy of such' refer to 'book or document.'

**Sir P. S. Sivaswamy Aiyer :** I see that the word 'such' is not followed by 'newspaper'.

**Mr. President :** The question is that that amendment be made.  
The motion was adopted.

**Mr. President :** Further amendment moved :

'That in section 99-B proposed to be inserted in the Code of Criminal Procedure, 1898, for the word 'newspaper' where it occurs for the second time, the words 'issue of the newspaper, or the' be substituted.'

The question is that that amendment be made.

The motion was adopted.

**Mr. President :** Further amendment moved :

'That in section 99-D proposed to be inserted in the Code of Criminal Procedure, 1898, for the word 'newspaper' the words 'issue of the newspaper, or the' be substituted.'

The question is that that amendment be made.

The motion was adopted.

Schedule III, as amended, was added to the Bill.

**Mr. M. G. Mukundaraja Aiyangar** (Madura and Ramnad *cum* Tinnevely : Non-Muhammadan Rural) : Sir, I have given notice of an amendment to omit the word 'or' from the second line in the new section 27 (B) (1) proposed to be inserted in the Indian Post Office Act, but, if I have your permission, Sir, I wish to move another amendment in its place and withdraw the first amendment.

The amendment I propose to move is this :

'In Schedule IV, in the proposed new section 27-B (1), omit the words 'in charge' in the first line and the word 'or' in the second line and substitute the word 'the' for the word 'a' in the first line.'

I think my object will be equally gained by the amendment which I have just now proposed. My object is this. If my amendment is carried out. I think it will not be giving the new and somewhat dangerous powers to all petty officers including village post-masters, *viz.*, the power to detain postal articles, but it will be given only to responsible officers of the Post Office who alone, I hope, will be authorised by the Post-Master General to take action under this section. I therefore, Sir, move my amendment.

**Mr. President :** Amendment moved :

'In Schedule IV in the proposed new section 27-B (1), omit the words 'in charge' in the first line and the word 'or' in the second line, and substitute the word 'the' for the word 'a' in the first line, the amended clause then reading 'Any officer of the Post Office authorised by the Postmaster-General, etc.'

**The Honourable Sir William Vincent :** Sir, I think this amendment is a great improvement on the original clause, and it certainly avoids a criticism which has been put before me by some Members of this Assembly, namely, that the clause as drafted leaves it open to any village post-master to take action under the section. It is now proposed to limit that power to officers authorised in this behalf either by general or special order of the Post-Master General. I am glad to accept the amendment, and indeed to express my gratitude to the Honourable Member for suggesting an improvement in the Bill.

The motion was adopted.

Schedule IV, as amended, was added to the Bill.

The Preamble and the Title were added to the Bill.

**The Honourable Sir William Vincent :** I now move that the Bill be passed. I am conscious myself that we are taking some risk in enacting this measure at the present juncture, but we are anxious to fulfil the pledges we had given to the Honourable Members in this matter as far as possible. There may be defects in this Bill, I quite admit it. For instance, I have been told that under the Bill publishers of newspapers may be registered who in fact are irresponsible persons against whom it would be impossible to take any action criminally or civilly. In fact, I heard to-day of a case of which an Honourable Member told me, when it was sought to prosecute the registered publisher of a newspaper it was discovered that she was a woman, a prostitute absolutely illiterate, being a person who could not even sign her name. This is the sort of risk that we have to take. Still Government are anxious to go as far as possible to meet the wishes of the Assembly, and if later it is found necessary to make any alteration in the law to meet such cases or to remove any

[ Sir William Vincent. ]

anomalies, I shall have to come to the Assembly in the next Session. But I hope very much that it will not be necessary.

**Mr. President :** The question is :

‘ That the Bill, as amended, be passed. ’

The motion was adopted.

## THE INDIAN OFFICIAL SECRETS BILL.

**The Honourable Sir William Vincent** (Home Member) : Sir, I move :

‘ That the Bill to assimilate the law in British India relating to official secrets to the law in force in the United Kingdom, be circulated for the purpose of eliciting opinion thereon. ’

I do not think that any Member will object to this motion as we merely seek to invite public opinion on our attempts to consolidate and assimilate the law.

The motion was adopted.

## THE CRIMINAL TRIBES (AMENDMENT) BILL.

**The Honourable Sir William Vincent** (Home Member) : Sir, I move for leave :

‘ To introduce a Bill further to amend the Criminal Tribes Act, 1911. ’

I will deal with this Bill at the present stage very shortly too. When I first took up the office of Home Member I was pressed by various experts on the subject of criminal tribes to inquire into the administration of the law, among others, Commissioner Booth-Tucker of the Salvation Army, who has had unrivalled experience in this matter and was deeply interested in the reclamation of criminals, represented to me that the administration of the Act was capable of improvement and that the Act itself needed amendment in certain particulars. He asked me to call a Conference of officials and non-officials who were engaged in administering the Act and also to invite the assistance of representatives of various Indian States also interested in this matter. The time was not then opportune for a Conference because of the pre-occupations caused by the Great War and the matter had to be postponed till 1919. In 1919, there was a Conference in this very Chamber in which we are sitting, on the subject, it was attended by representatives of various Provinces and various Indian States ; that Conference made certain proposals, some of which required only executive orders to effect administrative changes in the working of the Act, but others of which required definite amendments of the law. We consulted the Local Governments on these proposals, and as far as my recollection goes, the changes were accepted as necessary and they have been now embodied in this Bill. I do not want to deal with them at any length. Clause 2 is the first of the important clauses because it extends the operation of the Act to the Presidency Towns. This is proposed to remove a longstanding grievance of Bengal, namely, that the member of a criminal tribe enjoy greater freedom in his depredations in Calcutta than elsewhere, and I hope

that the new provision will commend itself to the Assembly. Another important clause, clause 5; at present the orders of the Local Government are required before a criminal tribe or part thereof which has been restricted to or settled in a specified area by a notification under section 11 can be moved to another area. This causes inconvenience and delay and really operates harshly on the members of the criminal tribe who wanted to move from one place to another. We propose to modify this. Now let us turn to clause 6 of the Bill; under the old Act, it was impossible to transfer a member of a criminal tribe from one province to another. This was also a serious drawback in administering the Act and we have now provided for that difficult subject, of course, to the consent of the Local Government concerned. The last clause to which I wish to draw attention is clause 11 which provides for transfers to Indian States. That is a matter which will have to be considered later in greater detail. At present, I am only seeking for leave to introduce the Bill. What happens at present is that there are some Indian States—I do not want to particularise them—which seem to have a large number of criminal tribes, members of which come over to British India and prey upon the peaceful inhabitants here, and we think that Indian States should deal with these people themselves instead of allowing them to live on the inhabitants of British India.

Sir, the Bill will be circulated for opinion, and if I have time during this Session I shall make a formal motion to that effect. If there is no time, I shall then circulate it by executive orders. At present, I only seek for leave to introduce it.

The motion was adopted.

**The Honourable Sir William Vincent:** I introduce the Bill.

#### RESOLUTION *RE*: INDIA'S PARTICIPATION IN THE BRITISH EMPIRE EXHIBITION IN 1924.

**Mr. President:** The Assembly will now resume the debate upon the Resolution moved by the Honourable Mr. Innes on the 27th February, 1922, namely:

‘This Assembly recommends to the Governor General in Council that necessary steps should be taken and funds provided to enable India to participate on an adequate scale in the British Empire Exhibition to be held in London in 1924.’

**The Honourable Mr. C. A. Innes** (Commerce and Industries Member): When the House last considered this Resolution, a motion for an adjournment of the discussion was moved by my friend, Dr. Gour, who thought that before the Government of India should commit itself to partaking in this Exhibition, we should be in a position to know what would be the actual cost of the buildings to be erected in connection with it and of other work which will be necessary, divided over the different financial years. The desire was also expressed for information regarding the scale on which the Dominions of the Empire such as Canada, Australia and South Africa, intended to take part in the Exhibition.

In reply I promised to work out in as great a detail as possible the exact extent of our liabilities in connection with the Exhibition and I also promised to obtain information regarding the scale on which the Dominions proposed to participate. At the same time I expressed grave doubts whether I should be able to obtain any information on the latter point.

[ Mr. C. A. Innes. ]

Now I propose to deal with the latter point first. I had an inquiry made from the Indian Trade Commissioner in London as to whether it was possible for him to give us any figures of the expenditure which the Dominions contemplated incurring in connection with the Exhibition. As I expected, the reply is that no such figures are available for publication. But I am in a position to inform the House that the Dominion Governments are in favour of participation in the Exhibition and that certain rough estimates have been framed by them of the expenditure that they expect to incur, and the Indian Trade Commissioner informs me that I may safely assume that the estimates which were prepared by him, and which I shall shortly explain to the House, are very similar to those prepared by the High Commissioners for the different Dominions.

Mr. Chadwick adds that, from his knowledge of the situation, it would be a serious mistake, commercially and politically, for India to be inadequately represented at this Exhibition.

I now turn to the question of the estimates which Mr. Chadwick has prepared at our request of the probable expenditure to be incurred by India in connection with the Exhibition, if she finally decides to take part. In the first place, I would explain to the House that these estimates are framed on an entirely hypothetical basis, the nature of which I shall explain later. The estimate is divided into two sections. Section A relates to buildings, and general administration, that is to say, in addition to the cost of erection of the buildings, provision is made for the construction of roads, external and internal decorations, electric power and lighting, fees to architects, surveyors, etc., salaries of clerks, etc., heating and lighting, printing and stationery, and the layout and upkeep of the grounds. Section B relates to maintenance and equipment and includes such items as cleaners, firemen, night watchmen, constables, insurance show cases, and other items of a similar varied nature. The total estimate of expenditure under Section A from beginning to end is £110,000. The total estimate under Section B is £57,000. The grand total is thus £167,000. As against this the Indian Trade Commissioner has estimated the total probable receipts as amounting to £152,000. The receipts for which he allows are on account of rent to be charged to provinces, etc., for the portion of the buildings leased to them; the greater part of the expenses under Section B which it has been suggested should be met by the actual lessees or sub-lessees of the buildings, that is to say, the provinces and Indian States who wish to take part; the sale of show cases, and the eventual sale of the buildings. On this estimate the net final cost of participation in the Exhibition to Central Revenues would be £15,000. The way in which the gross expenditure of £167,000 has been divided by the Indian Trade Commissioner between the various financial years is as follows:

		£
1922-23 . . . . .	{ Section A . . . . .	65,000
	{ Section B . . . . .	2,000
1923-24 . . . . .	{ Section A . . . . .	40,000
	{ Section B . . . . .	40,000
the recoveries in that year being estimated at £74,000.		
1924-25 . . . . .	{ Section A . . . . .	5,000
	{ Section B . . . . .	15,000
the recoveries in that year being estimated at £25,000.		

In 1925-26, it is estimated that there will be no expenditure, but that the final recoveries will amount to £53,000.

I must now explain to the House the principles on which these estimates have been framed. As I mentioned briefly during the previous discussion, the method of dividing the total cost of the Exhibition which we suggested last year to provincial Governments and which they provisionally approved, was that we should meet the cost of the Special Officer or Commissioner who will be required to organize the whole Exhibition and advise participators, and also the cost of the buildings, and that the provincial Governments, States and private exhibitors should pay for the collection and transmission of their exhibits, and should pay to us rent for the portion of the buildings occupied by them, with a share of the incidental charges, such as maintenance, electric power, lighting, water and the like. This general scheme was communicated to the Indian Trade Commissioner as a basis on which to work, and Mr. Chadwick has drawn up his estimates with the assistance of the permanent staff of the Exhibition and in consultation with the architects, on the assumption that 98,500 sq. feet, out of the total 100,000 sq. feet which have been provisionally assigned to India, will be covered by buildings, and that there will be, in all, 16 separate participators in the Indian portion of the Exhibition, that is to say, a central section and 15 sections, from provincial Governments and Indian States. The House will readily appreciate how far it can be guided by the actual figures which I have given it when I say that, as we have not yet made up our minds whether we shall participate at all in the Exhibition, we have as yet been able to send no instructions to the Indian Trade Commissioner and have not yet been able to ask the provinces and States whether they have finally decided to participate, and, if so, what amount of space they wish us to rent to them. Until we have asked them and have received their replies, it is, naturally, quite impossible for us to say what our gross expenditure on the erection of the buildings will be. It is equally impossible for us to estimate the gross cost under the heads included in Section B of the Indian Trade Commissioner's estimates. I hope, therefore, that Members will realize the difficulty in which I am placed. On the one hand, we are informed by the Indian Trade Commissioner that, as the buildings must, obviously, be finished by December, 1923, the architects anticipate that three-fourths of the cost of the buildings should be incurred by the contractors by the end of March, 1923. If 75 per cent. of the cost is thus incurred by that date, the contractors will probably expect to receive payment of not less than 60 per cent. Therefore 60 per cent. of the total expenditure to be incurred on the buildings has been estimated as falling in the next financial year, 1922-23, and 40 per cent. in the year 1923-24. If, therefore, India is to participate we must have some provision in the Budget estimates for the coming financial year. On the other hand, it is not until we have received replies to detailed inquiries from provinces and Indian States that we shall be in a position to say what we expect to spend during the coming financial year and the year 1923-24 on the erection of buildings, and it must be remembered that provincial Governments cannot be expected to send immediate replies to our inquiries, for they, like us, must consult their Councils before they can commit themselves to expenditure on any considerable scale.

I do not wish to detain the House unnecessarily by going into all the details of possible expenditure. The whole matter has been worked out as carefully as



[ Mr. C. A. Innes. ]

possible by Mr. Chadwick with the Exhibition authorities and the architects and contractors. Every item in Section A and Section B have been gone into with the greatest possible care. On the other hand, apart from the question of the extent to which provinces and Indian States will wish to participate, various important matters will have to be settled before an accurate estimate of the costs both to Central revenues and to other participants can be made. Such questions are: What rates should be charged by the Government of India as rent for buildings? What rental charge should be made to private firms? To what extent should the Government of India defray the initial cost of the internal decorations? etc. All these matters will require in the first place to be dealt with by the Commissioner whom it is proposed to appoint. I may state here, however, that in his last communication the Indian Trade Commissioner has informed us that the cost of buildings has fallen since he prepared his original estimate, and also that the Executive Council of the Exhibition have decided that, if there be any profits on the Exhibition proper, 50 per cent. of such profits will be divided among the different countries of the Empire in proportion to the area occupied by their buildings. We have, therefore, a direct interest in inducing as many participants as possible to share with us and to take up as much space as possible for their exhibitions.

Apart from buildings, it will be necessary for us, as I explained on the last occasion, to appoint a Commissioner without any delay. I think all business men will bear me out when I say that an attempt to carry through a difficult business of this kind merely by correspondence at a distance is practically impossible. We must have an officer who, after obtaining a clear idea of the methods of the Exhibition from its promoters on the spot, will tour the provinces and States, explain matters in detail to them and ascertain exactly what space they will require. It will also be his duty to interest public opinion in the enterprise by visiting important centres and being readily accessible for the supply of detailed information, including estimates of costs and space, to intending private exhibitors. When all preliminary details have been settled, it will be the function of the Commissioner to advise and assist participators regarding the selection, collection and transmission of their exhibits. The sooner the Commissioner is appointed and it has not yet been possible to take any steps to select one, the sooner we shall be in a position to know what the cost of the Exhibition will be to us. Every month's delay now is a serious matter; for exhibitions on the scale of that which is to be held in 1924 are undertakings for which the longest possible period of preparation is desirable. We have already been asked to send definite information as soon as possible to London regarding the extent to which we intend to participate.

When I moved this Resolution originally in this House I asked that a provision might be made during the next financial year of Rs. 26,000 to be spent in India and £700 to be spent in England on the Commissioner, his staff and his travelling and other allowances, and I also asked the House to agree to the inclusion of a sum of £10,000 during the next year towards the cost of erecting buildings on the Exhibition ground. As I have already explained, the Indian Trade Commissioner now estimates that £65,000 would be required to be paid during 1922-23 for the erection of buildings. But, as the estimates are based on so many assumptions, I have proposed

a smaller sum on the understanding that it will be possible for me to come up later on in the year, if necessary, for a supplementary grant. I hope that the House will be satisfied with such facts and figures as I have been able to place before it, recognizing the obvious limitation on the presentation of regular estimates. I can only hope that the proposal which I have placed before them will meet with the support of the House. As I said when I first moved this Resolution, I recognize that in the present financial situation it may be argued that it is not a time to go in for expenditure which we certainly can, if we so desire, avoid. At the same time, for the reasons which I explained on the previous occasion, I hold very strongly that it would be a serious mistake for India to hold aloof from this Exhibition. As I have explained, it is to be the largest exhibition which has been held for very many years. All parts of the Empire, as far as we know, are to be represented, and, both for commercial and for political reasons, I think it would be a very grave mistake for India to be an absentee.

There is one other point I have to make before I sit down. If we participate at all in this Exhibition we must participate properly. No less than 48 million people visited the last Paris Exhibition, and big crowds may therefore be expected at this Exhibition. If India is to participate at all, let her do so on a scale worthy of her place in the Empire. I hope, Sir, that the House will support this Resolution.

**Mr. F. B. Bradley-Birt** (Bengal : Nominated Official) : Sir, it is with much diffidence and yet at the same time not without some confidence that I rise to take part in this debate—diffidence because this is the first time that I have ventured to address this Assembly, and I am never quite sure whether a maiden speech in any Assembly is more of an ordeal to the man who makes it or to the audience that has to listen to it ; yet confidence because, while I have sat a silent Member on these Benches, I have realised and deeply appreciated the patience, the tolerance and the real kindness of this Assembly. (Hear, hear.) So that, now when I rise to address it, I feel assured of its indulgence. And perhaps it will give me that indulgence in still greater measure if I explain to it very briefly something of the reason why I have hitherto kept silence and why I have now broken that silence to intervene in this particular debate.

Let me hasten to assure the House, if indeed any such assurance is necessary, that it is through no lack of interest that I have kept silence. During two Sessions I have not missed a single sitting of this House. (Hear, hear.) And I have followed its debates with unceasing interest. I have considered it a great privilege to be a Member of this Assembly and to listen to its debates, and I should like, if the House will allow me in this first speech that I am making in it, to add my small tribute to the many tributes that have been paid to it. Nor, Sir, was it any lack of desire to speak that kept me silent, and here I am sure I shall have the sympathy of many of my Honourable friends in this House, especially of those who speak so often and so ably, for they will realise the terrible amount of self-restraint required to refrain from speaking when one wants to speak. I have desired often to take part in these debates, but I have refrained because I have not felt justified as an official Member in demanding the attention of the House and lengthening the debates when the views that I upheld had already been so ably put by the Government Members on the front Benches. I have listened with unstinted

[ Mr. F. B. Bradley-Birt. ]

admiration to the way in which the Government case has been put by the Members in charge, and I have felt that, if those Members, with all their experience, all their inside knowledge of the facts and figures, all their eloquence have been unable to convince the House, how could a Member on the back Benches with less facilities, less opportunities hope to do so. Yet, at the same time, I have felt that occasions have arisen when for some special reason an added word from an official Member on the back Bench might be of some use to this House and it is because I feel that such an occasion has arisen now that I venture to address it.

Sir, this is a small matter compared with many of the large issues that we have been recently discussing. Yet it seems to me that, small as it is, and quite apart from all the other issues it involves, it does very nearly affect the prestige of this Assembly, to which I am so proud to belong. It has been said before and said often that the eyes of the world are upon this House, watching with interest its early years of life, and I think it can be said with truth that no decision it has yet been called upon to make is likely to bring it more literally and more prominently under the eyes of the world than the one that it is called upon to make at the close of this debate. The issue is a very simple one. The different countries of the Empire have agreed to meet together to participate in this great Exhibition to be held in London in 1924, each anxious to push its own products and to promote its own industrial and commercial prosperity. Is it conceivable that we here in this Assembly this morning should publicly in the eyes of the world exclude India, exclude ourselves, from taking part among the other countries of the Empire? What will the representatives of those other countries say if in 1924 they find India unrepresented? Have the Members of this Assembly thought too of what the foreign nations of the world whose representatives will surely also foregather there would think of India's absence and how eagerly some who have long had a jealous eye on India's growing prosperity would busy themselves to take every possible advantage of her absence. Do the Members realise what they would think and say of the Assembly that was responsible for that absence?

Sir, such an eventuality to my mind is inconceivable. The Members of this House have often expressed the desire that India should play a greater part in the affairs of the Empire and of the world in general. Do they seriously, now that this unique opportunity occurs, do they seriously contemplate preventing India from taking her part in this great meeting of the industries of the Empire? Some Members during the previous debate on this subject laid stress upon the expense involved. Surely, Sir, this is a question in which expense cannot be considered an expense so small compared with the vast resources of this great country. It would indeed be a penny-wise policy which in the end would prove pound-foolish. The Members of this House have shown their courage in cutting down crores of rupees recently, I feel confident they will show equal courage in plunging into this very small expenditure. Other Members again at the last debate threw some doubt upon the advantages to be gained by India from participating in this Exhibition.

For myself, I have no doubt whatever of the advantages to be gained from this great meeting together of the resources of the Empire and the fact that other countries of the Empire have agreed to participate is sufficient evidence of their belief in its utility. But apart from this consideration and apart from all other considerations, there remains this

1 P.M.

one essential point, and I would ask every Member of this House to put aside all other considerations and in coming to a decision take note only of this one essential point, namely, that this Exhibition is going to be held and that all the other countries of the Empire, I believe without exception, have expressed their desire to take part in it. Can India, I ask, afford to be absent? (*A Voice: 'No.'*) Sir, it behoves, it imperatively behoves, this Assembly to see that this great country of India, whose destinies have been so largely committed to its care, is not only represented but represented in the most able and adequate manner we can command. I appeal the Members of this Assembly to give their unanimous vote in favour of this Resolution. (*Loud Applause.*)

**Rao Bahadur T. Rangachariar** (Madras City: Non-Muhammadan Urban): Sir, I congratulate the House on the maiden speech of my Honourable friend, Mr. Bradley-Birt (Cheers) for which, Sir, our thanks are due to you more than to anybody else (Laughter), and I am glad to say that his maiden speech has been so eloquent and appealing that I stand converted. (*Hear, hear.*) I offer this conversion as a bribe to my Honourable friend, Mr. Bradley-Birt. His enthusiasm for India's position in the eyes of the world, he should always remember whenever his assistance is needed in really giving us Dominion status as early as possible. I hope he will remember that when such a discussion also arises. (*Hear, hear.*) Sir, I quite realise that it will not be possible for us to desist from taking part in this world Exhibition. The Exhibition cannot wait for our finances to improve. But we may make strenuous endeavours to make our finances improve. There are three or four points which I should like to mention in this connection, which, I hope the Honourable Mr. Innes will bear in mind in his correspondence with our sympathetic High Commissioner in London. We have got an able Trade Commissioner who, I am proud to say, belongs to Madras (*Hear, hear.*), as my Honourable friend in charge of Industries belongs to Madras. So, Madras contributes a lot in these matters. The thing to be borne in mind is whether it will not be possible to take some Indian as the Commissioner in charge of this Exhibition. He will have the able assistance of Sir William Meyer and Mr. Chadwick. It is also to be borne in mind whether these gentlemen could not be assisted by a good Indian to be placed as Commissioner in charge of this Exhibition, because we have European assistance already and therefore an Indian will be a great acquisition to this body of people who are going to run this Exhibition there. The second point which I wish to emphasise is one which, I think, my friend, Mr. Kamat, has already referred to, *viz.*, to provide, in the Budget proposals for facilities being given for Indian artists and industrialists being taken to this world Exhibition, so that these people may come to know really the art of advertising and the art of pushing on industries in the country (*Hear, hear.*); and also, if I may add, as regards giving facilities for students who are undergoing training in industrial institutions and whether at least half a dozen or a dozen of them may not be sent to this Exhibition. One other point which rather troubles me, and which was in my mind when I opposed this Resolution on the last occasion, was the great havoc wrought in our indigenous industries in this country by other people copying our genuine models, for instance, the cloth for which Madras is famous and which I advertise very loudly in this Assembly by the cloth which I wear. I have reason to believe that, for instance, the famous Conjeeveram and Salem cloth have been copied by foreign industries run by machines so much so that our own industries suffer. Has any provision been made in this Exhibition to

[ Rao Bahadur T. Rangachariar. ]

prohibit copying our models? I do not know whether it is usual or permissible. But I throw it out as a suggestion. I know in the case of Palampores for which Masulipatam was famous, that Japan is trying to make cheap imitations, which kill our industry. Again for instance cheap carpets kill the genuine carpets of Ellore. The cheap Palampores which come from Japan have killed our industry. They see our exhibitions and then they copy our models. We exhibited a lot in our Madras Exhibition which we ran under Lord Pentland, and these Japanese came in large numbers and copied our very nice patterns and they are now sending back their cheap products and thereby killing our industries. Whether these indigenous industries can be protected in such a manner is a matter which I put for the anxious consideration of the Honourable the Member for Commerce. Sir, these are the remarks which I wish to make and I am glad to say that I withdraw my opposition to the proposal. (Hear, hear.)

**Lala Girdharilal Agarwala** (Agra Division: Non-Muhammadan Rural): Sir, it is my unpleasant duty to oppose this Resolution very strongly. I do not base my opposition simply on financial grounds, which is one of the most potent reasons why it should be opposed, as 25 lakhs of rupees is not a small sum to be spent in this Exhibition at the present financial crises. The other ground, Sir, which I want the Honourable Members to consider is this. With what face can we take part in the Exhibition which is going to take place? Our country, Sir, has not produced anything worth the name in the shape of manufactured articles which we have sent outside. (*Voices: 'No, no.'*) We do not manufacture anything. We cannot manufacture even needles, not to say about big things like motor-cars, steamship, aeroplanes and railway engines, which, I have often said in this Assembly, should be manufactured in this country, and sold in European markets as best and cheapest in the world. The time will come for us to take part in such Exhibitions when we are able to manufacture and show to the world what I have just said. (*A Voice: 'Do it now.'*) I most respectfully wish to state that even our Indian Government will be disgraced if we take part in that Exhibition. (*A Voice: 'No, no.'*) Other countries will see that under the British rule India has not been able to manufacture any of the things mentioned above. We can simply show our raw materials such as cotton and timber and so forth, but there is nothing which shows the brains of India. (*A Voice: 'Is not there?'*) We have not been able to compete with foreign countries in chemical and mechanical industries and show such things. If we are able to manufacture such articles in India which we could sell in foreign markets, as cheap and as best as they do, then certainly it will be time enough for us to go and take part in the Exhibition. Sir, I just want to give a very familiar instance. During marriage time ladies who are not properly clothed and properly adorned would not go to join the party. Similarly, Sir, I submit that as long as our Government has not taught us how to manufacture goods which we import from foreign countries and how to compete with foreign countries in manufactured goods, I submit we should not take part in such an Exhibition. When the time comes we will join the Exhibition, and if we have got money, we can hold an Exhibition here and invite all those countries and show what we have got. With these few words, I most emphatically oppose this Resolution.

**Maulvi Abul Kasem** (Dacca Division : Muhammadan Rural): Sir, I am surprised to hear my friend, Lala Girdharilal Agarwala, speak in the strain in which he has done (Hear, hear), and I am surprised more that a distinguished Member from the United Provinces should proclaim to the world that India will be ashamed to take part in a world Exhibition to be held in London. What about the silver embroidery work of Benares ; what about the beautiful needle work of Lucknow, the two most important cities of the United Provinces ? Sir, I strongly support the motion for our taking part in the Exhibition, in spite of the cost, heavy as it may be, because not only is the dignity of this country concerned, but its future industrial progress is also intertwined with this matter. Here in India we can produce fine articles which will bear favourable comparison with the best products of the world. (Hear, hear.) You talk of motor cars, but what are Fords and Rolls-Royce cars compared with these works of art and beauty which India can produce to-day ? (Hear, hear.) Those who have had the experience of these things will bear me out that the shawl work of Kashmir, which would not fetch even Rs. 200 in India, sometimes gets a price of 250 guineas in Bond Street, London, and, if our men can be induced to advertise themselves in Europe and European cities, and to capture the fancy of American millionaires, we will get more money from the outside world than they get by importing machinery and piece-goods. Therefore, from an economic point of view, of the point of view of the progress of industries and fine arts, which are fast dying out on account of the poverty of the people, if we can get a place in the Exhibition, it will be a great advantage to this country and its artisans and craftsmen. With these few words, I beg to support the motion.

**Mr. Jamnadas Dwarkadas** (Bombay City : Non-Muhammadan Urban): Sir, my Honourable friend, Mr. Abul Kasem, has anticipated me in some of the remarks that I would have made in answer to my Honourable friend, Lala Girdharilal Agarwala. I cannot, understand the opposition of my Honourable friend. To me it appears that we will be rendering a great service to India if we take part in this Empire Exhibition. It may be that there is something in the complaint of my Honourable friend that Government have not given attention to the growth of industries in this country which they ought to have done. But I strongly protest against the contention that my Honourable friend makes that India has nothing to exhibit. On the other hand, I can assure my Honourable friend, if he will only take it into his head to eliminate the ignorance which obsesses him at the present moment, I can assure him that India can put forward specimens of its products which no other country in the world can do. (Hear, hear.) My Honourable friend, it seems to me, does not know about the shawls of Kashmir, or the silver work, or the wood-carving work of Kashmir. He is not aware of the capacity of his own province. Is there anything in the world that can compare with the shawls and 'shelas' which are produced in Benares, the fine cloth of Dacca and Bengal. (Hear, hear.) Is there anything in the world which can compare with Cutch silver work ? (Hear, hear.) If my Honourable friend is ignorant of all these things done in India, he had better not take part in discussions of this character. But to say that India is behind in the production of those things is to betray ignorance of what India is capable of. I personally believe that any amount of money spent in taking part in this Exhibition is not only not a waste but would be an investment for the future of India. (Hear, hear.) If my information is correct, there is growing in Europe a craze for

[Mr. Jamnadas Dwarkadas.]

Oriental things, and this is just the time when by sending a collection of your best specimens you can encourage that feeling growing in India to use Oriental things and extend your trade with them in articles manufactured in this country. I am sure that when that time comes when our articles, manufactured articles, will begin to go to foreign countries, the Government as it is at present constituted will do all in its power to encourage and help us in the matter. There is one difficulty, namely, that all these products are not on a large scale, on such a commercial scale as we would like them to be. That is due to lack of encouragement, but provided this encouragement is forthcoming, provided we are assured of a market in foreign countries, we can produce on a commercial scale, a very large scale, and send our articles abroad as we used to do in years of old. (Hear, hear.)

I forgot to mention one article in which we have to-day a large trade in foreign countries, the beautiful carpets produced in Mirzapore. When I was in London and in Paris, I saw in Liberty Stores and at LaFayette's, most beautiful things produced in India, sold in some cases at ten times the price that they are sold in India. Personally, I believe that this Exhibition ought to receive all encouragement at our hands. (Hear, hear). I would also like to make the suggestion, if I may be permitted to do so, that if it is possible, a small Committee of those interested in these articles, who know something about what India is capable of producing may be appointed to assist Mr. Chadwick, whom I know personally, and who takes a very keen interest in Indian products, that such a Committee may be appointed to assist Mr. Chadwick in making arrangements for representing India at the Exhibition, for the purpose of selecting articles to be exhibited in that Exhibition. If the Government take proper measures in order to make the articles from India exhibited properly in the British Empire Exhibition, I think that it would not only be an advertisement for India, but a great encouragement to the growth of industries in this country. (Hear, hear.)

**The Honourable Mr. C. A. Innes:** Sir, the proposal has met with such gratifying reception that I have very few remarks to make. I have taken note of the points raised by Mr. Rangachariar, and they will certainly be considered. (Hear, hear.) I have also taken note of the points raised by Mr. Jamnadas Dwarkadas. I hope that every province in India will join in this Exhibition. I hope that in each province an Advisory Committee will be appointed, in order that exhibits from each province may be organised in the best possible manner. I may say that it is already our idea that an Advisory Committee should be formed at Home. (Here, hear.) In fact, anything that we can do in the Government of India or through the High Commissioner will be done in order to make our participation in this Exhibition a success worthy of this great country. (Hear, hear.)

**Mr. President:** The question is :

That this Assembly recommends to the Governor General in Council that necessary steps should be taken and funds provided to enable India to participate on an adequate scale in the British Empire Exhibition to be held in London in 1924.

The motion was adopted.



## THE HINDU COPARCENER'S LIABILITY BILL.

**Munshi Mahadeo Prasad** (Benares and Gorakhpur Divisions : Non-Muhammadian Rural) : Sir, I have been authorised in writing by Dr. Gour to move the motion\* that stands in his name.

\* That the Bill to define the liability of a Hindu Coparcener be circulated for the purpose of eliciting opinion thereon.

**Mr. President** : I am afraid the Honourable Member cannot be authorized by Dr. Gour. There is no provision in the Standing Order to enable him to do so.

**Munshi Mahadeo Prasad** : It is in writing, Sir, not verbal.

**Mr. President** : That is not the question. There is no provision in the rules which enables the Member in charge of the Bill to authorize another Member to proceed with it on his behalf.

**The Honourable Sir William Vincent** (Home Member) : If I may say so, Sir, I am prepared on behalf of Government to undertake to circulate the Bill by executive order unless any one in the House objects to that course.

**Rao Bahadur C. S. Subrahmanayam** (Madras Ceded Districts and Chittoor : Non-Muhammadian Rural) : I do not support the suggestion of the Honourable the Home Member. I do not think there is any advantage in circulating a Bill of this character. It is only an expenditure of time and stationery.

**The Honourable Sir William Vincent** : In the absence of a motion for circulation I am quite prepared to accept that view. If there is any division of opinion, we will not circulate the Bill.

**Mr. S. C. Shahani** (Sind Jagirdars and Zamindars : Landholders) : Sir, Dr. Gour was very anxious that this Bill should be circulated for opinion. So far as I can see, there is absolutely no objection to this course being adopted and I trust that the suggestion that has been made by the Honourable the Home Member will be accepted by the House.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock. ✓

## RESOLUTION RE MESSAGE OF REGRET AT THE RESIGNATION OF MR. MONTAGU.

**Mr. N. M. Samarth** (Bombay : Nominated Non-Official) : Sir, I beg to move the following Resolution :

'This Assembly recommends to the Governor General in Council that he be pleased to cable to His Majesty's Government that :

'The Assembly expresses its deep sense of regret at the resignation by the Right Honourable E. S. Montagu of the office of Secretary of State for India, in which capacity he rendered invaluable services to India and the Empire, for which services this House desires to convey its profound sense of gratitude to him and its unabated confidence in the policy pursued by him as the only policy which wise statesmanship dictates in the best interests of the Empire.'

Sir, the whole country has already given expression to its deep sense of regret at the resignation by the Right Honourable E. S. Montagu of his high office of Secretary of State for India. This Resolution is only giving expression to the feeling of the whole country and of all the people of India, to whatever school of thought they belong, in regard to what has happened. I consider it a calamity that has befallen this country. I use the word



[ Mr. N. M. Samarth. ]

'calamity' advisedly. All those who have kept themselves in touch with what has been happening in the country during the past six years know well what services Mr. Montagu has rendered to the cause of India and the Empire. (Hear, hear.) I need not take long to pass in brief review the circumstances under which Mr. Montagu came out here to inquire into the condition of India and to acquire first hand knowledge of the views and aspirations of the people of India. It will be remembered that in 1915, Sir S. P. Sinha, as he then was, presided over the Indian National Congress held in Bombay and he pleaded strongly for an announcement of policy to be made by the Government of India and by the Secretary of State to the effect that they were working steadily for the attainment of Self-Government by India. Mr. Austen Chamberlain, who was then Secretary of State for India, had a hand in drafting the announcement which was ultimately issued on the 20th of August, 1917, in which India was told that it was the aim of the British Government to bring about the progressive realisation of responsible government for British India and that substantial steps will be taken in furtherance of that policy. Mr. Montagu then came out here and, in conjunction with a sympathetic Viceroy who was there at the time, namely, Lord Chelmsford, went all over the country, analysing the feelings of the educated classes, analysing also the specific proposals which the Congress had put forward, and which were contained in what was known as the Congress-League scheme, and ultimately made their famous Montagu-Chelmsford Report. In accordance with this the Southborough Committees were appointed and they also supplemented the information, and a Bill was drafted. Those who were there at the time will know what opposition was offered to Mr. Montagu's proposals, not merely because the opponents were opposed, some of them, to any progress being made by India in the direction of self-government, which they considered to be an absolutely revolutionary proposal, but also partly on account of the proposals for reform emanating from Mr. Montagu himself. Mr. Montagu rendered to this country the greatest services which any Secretary of State for India has hitherto rendered (Hear, hear) by piloting, amidst storm and against great odds, the Bill which the India Office had drafted. All know the history of that Bill, which ultimately became the Government of India Act, under which we are sitting here and to which we are here to give effect. What is the policy which Mr. Montagu throughout maintained? Those who have read the speeches that he made from time to time in the House of Commons know well that he has throughout struggled to bring India up to the status of equality with the Dominions of the British Commonwealth. With that object, he gave India representation at the Imperial Conference and at the Imperial War Cabinet. Then, he made India an original member of the League of Nations. (Hear, hear.) Representatives of India signed the treaty of peace as also the Treaty of Sevres. The whole idea of it was to bring India up to the status of the self-governing Dominions of the British Empire.

I will now give you an idea of what he meant really by the pronouncement of the 20th August, 1917. Why was that pronouncement made? Speaking at the second reading of the Government of India Bill, he said :

'That pronouncement was made in order to achieve what I believe is the only logical, the only possible, the only acceptable, meaning of Empire and Democracy, namely, an opportunity to all nations flying the Imperial flag to control their own destinies.'

Never had any Secretary of State before enunciated this noble principle, and, if that noble principle is going to be departed from in any way, it will be an evil day for India and the Empire. In spite of this, we are told that India is a subordinate branch of the British Government which is 7,000 miles away. Are all these other Dominions also subordinate branches of the British Government, which is 7,000 miles away? The Covenant of the League of Nations starts with the preamble:

'The high contracting parties, in order to promote international co-operation and achieve international peace and security, by the acceptance of obligations not to resort to war, by the prescription of open, just and Honourable relations between nations'

and so on,

'agree to this Covenant of the League of Nations.'

'The original members of the League of Nations shall be those signatories which are named in the annexe to this covenant';

And in the annexe to this covenant you will find—British Empire—Canada, Australia, South Africa, New Zealand, and India placed on the same footing. Well, Sir, I have yet to see that Canada, Australia, New Zealand and South Africa will take lying down a description of their Governments as subordinates of the British Government (*A Voice*: 'subordinate branch'), as subordinate branches of the British Government, seven thousand miles away.

As many others have to speak, Sir, I will not dilate upon this matter any further. I will only say this, that Mr. Montagu, as I said, was struggling to give India the high position which India has now attained already under the League of Nations. He wished India to determine her own destiny and towards that end this Reforms Act was passed. I have often thought that he combined in himself the political imagination and insight of Disraeli with the sturdy liberalism of Gladstone. Disraeli had the imagination to see that he must appeal to the eastern peoples; the Near East problem was dear to him. He knew that India could not be alienated, that its Muhammadan population and their sentiments could not be ignored. Mr. Montagu also took the same view; he knew that everything that conduced to the peace and contentment of the inhabitants of India equal subjects with others of the King, that everything that was necessary within reasonable limits to give them what they really thought was their due must be done and should be done and should be upheld by those with whom lay the ultimate decision of the issue; and I am speaking, I dare say, the opinion of my Muhammadan fellow-Members also when I say that they are grateful to him for the fight that he made throughout consistently on behalf of the Khilafat question and the Khilafat sentiments of our Muhammadan countrymen. If he had not done it, he would have betrayed his trust. If he had not put forward the view which was necessary to be put forward in order that a large section of the Muhammadan population may be appeased, he would not have been true to his trust, and therein lies the great service that he has also rendered to the country as a whole and to the Empire. I will not go into other matters, Sir. I will only say that, that is the only policy which wise statesmanship dictates. Any other policy with which we are now threatened will, I submit, lead to deplorable consequences. Only recently we have been told that this Assembly has behaved in such a manner that it has not shown any sense of responsibility and that the constitutional reforms which have been given to it will have to be

[Mr. N. M. Samarth.]

surveyed and reviewed again. Let me say, Sir, just a word in justification of the attitude of this Assembly, in order that no verdict may be passed against this Assembly by those in high office, which may ultimately result in the suspension or abandonment of the policy for which Mr. Montagu stood. Sir, what is it by which we have been animated? The one thing which animates this Assembly is a keen sense of responsibility which impels it to see that the Government does not do anything which will accentuate the discontent among the vast Indian population. Sir, as a humble student of history, I say that for the attitude which this Assembly has taken I find justification in the observations of a great writer like Bryce. Bryce in his 'Studies in History and Jurisprudence' made the following observations several years ago. In the chapter in which he compares the Roman Empire with the British Empire he points out one cause which brought the Roman Empire to ruin, namely, its bad finances. The writer proceeds to say:

'Still the warning that Rome has bequeathed is a warning not to be neglected. Her great difficulty was finance and the impoverishment of the cultivator. Finance and the poverty of the cultivator who is always in danger of famine and is taxed to the full measure of his capacity, these are the standing difficulties of the Indian administration; and they do not grow less, for, as population increases, the struggle for food is more severe and the expenditure on frontier defence, including strategic railways, has gone on rapidly increasing.'

Rao Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban): Torrentially increasing.

Mr. N. M. Samarth: 'Torrentially increasing' are not his words but 'rapidly increasing'. He proceeds to say:

'There is really, so far as can be seen at present, only one danger against which the English have to guard, that of provoking discontent among their subjects by laying on them too heavy a burden of taxation.'

If this Assembly has done anything to protest against too heavy a burden of taxation being placed upon the country it has rendered a service to the Government and to the Empire. (Hear, hear.) Any allegation that Members of this Assembly are not alive to their sense of responsibility and that confidence cannot be reposed in them is an allegation which I repudiate from my place in this House, and I have no doubt that every Member of this Assembly, every Member of Government, I take it, will agree with us in saying that we are animated by the best of motives, namely, saving the Government and saving the people from the acute discontent which is bound to prevail by too heavy a burden of taxation being placed upon the people. It would not have been necessary for me to make these observations if Mr. Montagu was in office. But as he is not, these leading articles have been started now. I am an optimist, as I have said so often. I do not think, therefore, that anything that the Thunderer may write is going to take place. At the same time, I would not allow aspersions and statements to be made which, if left unchallenged, may amount to a confession of the crime which has been attributed to us, namely, of bringing the administration to a stand-still. Have we brought the administration to a stand-still? Well, Sir, if those leading articles are an indication of the policy which is going to be pursued towards India, then, Sir, I repeat my words, that it is not a policy which wise statesmanship will dictate. As there are several speakers perhaps who are anxious to pay their tribute to Mr. Montagu, I will not detain the House any longer. With these words I commend my Resolution for the acceptance of the House.

**Mr. Khagendra Nath Mitra** (Bengal : Nominated Official) : Sir, I rise to support this Resolution. I have been a silent listener so far not because silence is golden but because I found it far more interesting to listen than to speak. Besides, when everybody seems to speak, it must be the business of some people to listen. Others listen too, but they listen with a desire to speak, and not infrequently one speaks without listening. But I have listened for the sake of listening and with a desire to profit by the speeches to which I have listened, and I must confess that I have profited a good deal by listening to the able, well informed and instructive speeches of Members on both sides of the House. I have often felt tempted to speak, but then I remembered the advice of an Honourable friend, who said that we were not expected to speak, but, since he has broken his own precept to-day (Hear, hear), and with such conspicuous success, I need not hesitate to betray his confidence.

Coming now to the Resolution itself, Sir, I think that it is a momentous proposition which should be supported by everybody. It is far above the narrow, circumscribed area of party politics. I think all sections of the House, both official and non-official, should join so that our voice may gather force and strength and grow in volume till it reaches far across the seas to the British public and to the Ministers of His Majesty. It is a cruel irony of fate that Mr. Montagu should be compelled to lay down the reins of office just at this moment. It is a cruel irony of fate, I say, that he should abandon the ship laden with the rich spoils which he had a hand in securing for India in the shape of Reforms. Sir, I am one of those who believe in Reforms and I have faith in the justice of the British people. I think that the policy which Mr. Montagu has insinuated will not be abandoned, but still the credit belongs to Mr. Montagu for doing all that he has done for us and we must pay our tribute of respect to him and express our gratefulness in no uncertain terms. To every Indian he was an apostle of progress and conciliation (Hear, hear), and it did India good, it did England good, that the Reforms were initiated under his able guidance and they have already begun to bear fruit. Sir, we are passing through critical times, times which are in the words of the Honourable Sir William Vincent, 'amazingly critical.' There is a good deal of real discontent in the country, and the situation requires a very careful and cautious handling. Mr. Montagu was just the type of man who could have, by reason of his broad imagination and largehearted sympathy, led the people of India to realise their aspirations. Sir, if we are united in expressing our gratefulness, let not our expressions hurt the feelings of anybody, let our expression be the measure of our gratefulness that we feel towards Mr. Montagu. As a Bengalee, I have special reasons to be grateful to the late Secretary of State. He appointed Lord Sinha to one of the highest posts in the land. (Applause.) This one act would have entitled his name to go down to posterity as one of the benefactors of this country, and as we know he was subjected to severe criticism both here and in England for this. We knew what amount of opposition he had to face in giving this appointment to a native of India, and we are really very grateful to Mr. Montagu for this and for many other acts which he has done for this unfortunate country. With these words, Sir, I beg to support the Resolution which has been moved by my Honourable friend, Mr. Samarth.

**Sir P. S. Sivaswamy Aiyer** (Tanjore and Trichinopoly : Non-Muhammadan Bural) : Sir, in desiring to associate myself with the tributes which

[Sir P. S. Sivaswamy Aiyer.]

have been paid to Mr. Montagu, I desire to lay stress upon the second part of the Resolution. The need for an expression of our opinion that the policy which has guided Mr. Montagu should continue unchanged in the direction of the affairs of this continent has been emphasised by the sinister suggestion made in influential quarters in England that it may be necessary to reverse the policy which has hitherto guided the conduct of the affairs of India. We have been told that the conduct of the Assembly in connection with the finance proposals has betrayed a lack of the spirit of co-operation and of a sense of responsibility. I repudiate that charge on behalf of the Assembly entirely (Hear, hear), and I call upon the official Members of the Government as well as the non-official European element to bear witness to the sense of responsibility which the Assembly has displayed in dealing with these proposals for expenditure and taxation. (Hear, hear.) Have we or have we not displayed a due sense of responsibility? If we had not acted in the manner in which we have, I am sure we should have been justly open to the charge of betraying the interests of the people and the country. The journal in which these accusations are made itself admitted that the burden of military expenditure was crushing and that it sympathised with our sentiments, but it stated that we chose the wrong method of protest. I wonder what other method of protest was possible to us? What other method was open to us of enforcing our desire that there should be an immediate attempt at retrenchment and economy? I think the Assembly is entitled to look back upon its conduct during the last few weeks with a clear conscience (Hear, hear), and I trust that no Member of the Assembly will be deflected from his attitude in dealing with this matter by the criticisms of the Thunderer of Printing House Square or of any other journal in England or elsewhere. (Hear, hear.) That a journal of such influence and such large sources of information should have given the advice, or perhaps, to speak more correctly, should have thrown out the suggestion that it has,

3 P.M. is, to my mind, inexplicable. It betrays an incredible amount of intellectual short-sightedness, not to call it an astounding piece of silliness. I am afraid it may be largely due to possibly garbled reports of what has taken place, to its not receiving fuller information of our debates and the reasons which have led the Assembly to proceed in the manner it has done and to the course of affairs here. That, I am afraid, is due to the extravagant cable service which now prevails and which will continue to affect the transmission of news in this country seriously to our prejudice. I hope the policy which is suggested in the '*Times*' will not be approved by any statesman worthy of the name. Nothing more fatuous, nothing more disastrous, can be conceived. If the Government in England wanted to drive this country into revolt, they could not do better than follow the advice which has been given in the '*Times*'.

**Sir Deva Prasad Sarvadhikary** (Calcutta : Non-Muhammadan Urban): Sir, I hope I shall not be misunderstood if I strike a somewhat different note. I am afraid I cannot agree with the whole of this Resolution. On a previous occasion I was a party to experience of a sense of regret again voiced to-day; that was when the first impulse of disappointment prevailed. Viewing the thing now, however, in its proper perspective, I refuse to regard Mr. Montagu's resignation as anything in the nature of a calamity or even a matter of regret. It is absolutely the other way. It is quite clear everywhere that we have come to a parting of the ways, when things have to

be known, and known exactly as they are. A state of things had arrived when Mr. Montagu owed to himself, to the Government of India and to the people of India and to the world at large and particularly to all Muhammadan fellow subjects to make the position of the Government of India and his own position manifest to the world. Sir, assuming that, being thousands of miles away, men on the spot, who, we heard sometime ago, were absolutely to be trusted, are now what Lord Curzon has deserved fit to describe them to be, what is it that we owe to ourselves and what does the Government of India owe to itself now? It is that the people of India and the Government of India shall no longer be divided in essentials but shall be one, welded together by force of circumstances such as have been manifesting themselves within the last few days and will manifest themselves more in the immediate future. What was the position of the Government of India? How was their action being understood or rather misunderstood by the great Muhammadan people of India and abroad in respect of what they regard as vitals? Everything possible was, as a matter of fact, being done, every nerve was being strained to get them justice. Their mouth was shut and they could not make known to the world what they were trying to do and could not do, through no fault of theirs. That had therefore to come out and it was not a bad moment and bad manner of coming out. It will be for British diplomacy now to put itself right, but the people of India and our Muhammadan friends—who refuse to be mere powers—know exactly how matters stand. That is the great gain of the situation, which makes me refuse to look at the question as a matter of regret.

There is another aspect also. We are not satisfied with what we have got in the way of reforms. We never were, but were ready to give them loyal co-operation with a view of getting more. I am sure Mr. Montagu himself is not satisfied and steps have now to be thought of that would carry things further. Mr. Montagu out of the Cabinet, unadhesive to office and speaking out free, will be a greater force, a greater friend of Reform than it would be possible for him to be while transmitted by office and in the Cabinet. It is the Greater Montagu—like a elastic hero fighting with his back to the wall that strikes the imagination. That, Sir, is the way that the matter strikes us now; and I do not share in this vote of regret. I do not think either that stage thunder influences real British public opinion any longer. I do not think it will affect us. What is called the three-penny edition of a penny paper in England is not going to dictate to the Indian Government or the Indian public as to how their policy and career have to be shaped. Nor will sane British public opinion, that is realising the possibilities of the reforms, be so dictated to. I do feel, however, Sir, that it is up to us and it is our duty to convey in the clearest possible terms to the Cabinet what this Assembly thinks about the apprehended departure from the policy laid down by Mr. Montagu, a policy but for the enunciation of which matters would have, as sure as anything, taken quite another turn. The British people ought to be thankful for what Mr. Montagu and those who were behind him,—Lord Chelmsford and the Government here that supported him so well,—were able to effect. The effect of silent work behind like that behind the screen is great though people hardly realize its volume or effect. It is the sincere hope of all India and the Assembly as the representatives of India,—and the Assembly is bound to convey this to the British Cabinet that the slightest departure from that policy would cause alarm, nay dismay, in

[ Sir Deva Prasad Sarvadhikary. ]

quarters, so long free from such disturbing influences. Sir, the next few weeks may show a change for which we have to be prepared. I only hope that the way things are going on will not drive other friends of India much against their will to cut off their connection with India, however much some people may like it. That is a likely calamity that we do not view with equanimity. I hope good sense will prevail and that real disaster will yet be averted. I do not want to take up time by *excusing* for the House in regard to recent happenings. That is unnecessary, that would be really accusing the House. It is a matter of gratification that in this matter there is no difference of opinion between officials and non-officials, between Hindus and Moslems, between Europeans and Indians. The sanity and eloquence from Bengal officialdom of which we have had prime illustration to-day is a good omen of the future and of the good feelings that are henceforth going to prevail between officials and non-officials in the presence of common danger.

**Mr. Harchandrai Vishindas** (Sind: Non-Muhammadian Rural): Sir, in rising to support this Resolution, I will, with your permission, make a few observations. When Sir Henry Campbell-Bannerman became Prime Minister, he did two very good things. One was that he gave Self-Government to the South African Union, and the other was that he appointed Lord Morley (then Mr. John Morley), Secretary of State for India, because he thought that Morley was the biographer of Burke who was a great friend of India, and so John Morley would also be a very great friend of India. It turned out that John Morley was a friend of India, but he did not rise to all the expectations that people had built on him especially when he said that Self-Government for India was so far remote that she would not reach it at all, and that we were crying for the moon. Those prognostications were given the lie direct by Mr. Montagu himself. Whilst in the whole range of Secretaries of State for India it would be recognised that John Morley was probably one of the best. Mr. Montagu has excelled him by far in his services to India. One publicist, that is also a friend of India and one of the best newspapers in the East if not the best (I mean the *Times of India*) said the other day that it would have been much better if Mr. Montagu had retired immediately after he gave the Reforms to India, as it was said that it would have been much better for Napoleon's reputation if he had been killed at Waterloo. I say, 'No!' All this good, and the friendship that Mr. Montagu has shown to India ever since the time of the Reforms, would have been absent in that case, and I quite unite my voice with that of Sir Deva Prasad Sarvadhikary in saying that Mr. Montagu has resigned at the right moment. One good that has come out of this resignation is that Mr. Montagu has shown that he is quite prepared to sacrifice himself, to give his blood for India. It was at his post of duty in assertion of India's rights that he has been obliged to resign. I compare this conduct with the conduct of a General who at his post of duty is killed, who refuses to leave the battle and is killed.

Mr. Montagu, while standing bold in the assertion of the rights of India, has been killed and I say he is a great martyr. But while he loves India, does not India love him? I am quite sure that throughout the ages, his name, if not enshrined in brass or marble, will certainly be enshrined in the hearts of the people. I am not afraid of the thunders of the oracle of Printing House Square. I remember when Sir Charles Russell, afterwards



Lord Russell of Killowen, was advocating the cause of Parnell in the Parnell Commission Inquiry, he quoted Cobden referring to the effusions of the *London Times*. He said that Cobden had said that, whenever the *London Times* advocated any body's cause, that cause was ruined; on the other hand, when the *London Times* opposed any body, that body became successful. So, you may take it for granted that the same will apply to the present pronouncement of the 'Thunderer,' and you may take it that our cause will advance, and I may say, with Sir Deva Prasad Sarvadhikary, that these ebullitions need not disturb us. Now, I was comparing the Secretary of State-ship of Mr. Morley with that of Mr. Montagu. Mr. Morley, afterwards Lord Morley, had not to contend with any difficulties, because, if you looked at his Secretary of State-ship for India, you would find that he did not meet with any opposition at all. On the contrary, both sections of the House went on supporting him in his Indian policy. Whereas Mr. Montagu had to contend with difficulties every hour of his life. He was being hounded by a certain section of the English people, he was being pinpricked now and then and tormented. Still, with rare courage, he stood at the helm and carried on his policy of befriending and loving India. I say, 'All honour to you, Mr. Montagu. You have chosen the right moment of retirement.' And this is the right moment that he has retired; as the whole country from the Himalayas to Cape Comorin, and from Calcutta to Karachi, will with one voice shout admiration, appreciation, and love to Mr. Montagu.

**Mr. Darcy Lindsay** (Bengal: European): Sir, this Assembly does, I feel sure, try to reflect opinion in the country from all points of view. I do not think it would be doing so on this occasion if no attempt were made to voice the views of those who are not perhaps as enthusiastic about the late Secretary of State as some of the speakers who have preceded me. Let me at once prevent all possible misapprehension by saying that the majority of the community which I represent acknowledge the great services rendered to India by Mr. Montagu in establishing the Reforms with which his and Lord Chelmsford's names will always be connected. It was pointed out the other day that to Lord Chelmsford was due the credit for the initiation of the announcement of August 1917 and it is an open secret that, had it not been for the Mesopotamia revelations, it would have been Mr. Austen Chamberlain who would have visited India for the purpose of making the famous Report on Reforms. In Mr. Montagu however he had an able successor and all credit is his due for bringing the scheme of the Reforms to a successful issue. It is obviously improper to discuss in this Assembly the circumstances leading to Mr. Montagu's dismissal. Whatever our views are, it is clear that he is considered by the Prime Minister and his colleagues to have committed a grave constitutional blunder. In conclusion, I wish Members thoroughly to realise that I am firmly in accord with those who desire to make the Reformed constitution a success and I give Mr. Montagu full credit for his share in its creation. I do not, however, subscribe to the belief that in him India has lost an unreplaceable friend. British statesmen there are with ability not a whit inferior to that of Mr. Montagu, and the cause of India will continue to receive the full support and sympathy of Great Britain, that is, its right. (Cheers.)

**The Honourable Sir William Vincent** (Home Member): Sir, we seem to have wandered a good deal in this debate from the real subject of the Resolution. As I read it, the Resolution indicates a desire on the part of the



[ Sir William Vincent. ]

House to show its sympathy with Mr. Montagu and its appreciation of his services to India. From that speakers have strayed to attacks on the military policy of the Government of India and to comments on certain allegations made in a leading London paper I should have thought myself that it might have been well if, on an occasion of this kind, we had confined ourselves strictly to the motion before the House, and indeed I feel that it is not entirely consonant with the dignity of this Assembly to discuss anonymous newspaper attacks. (Hear, hear.) Perhaps by reason of the fact that I am so frequently attacked in the newspapers, I myself pay little attention to such criticisms of Government policy. I do not think any one now in this House need be alarmed by these articles or suffer undue apprehension on this account. I am referring in particular to the remarks of one of the leaders in this Assembly, an elderly statesman who I thought would never have discussed a question of this kind on such an occasion as the present.

And now let me turn, Sir, to the real subject of the Resolution. I may say at once that the Government of India will be glad to forward the expression of opinion of this Assembly to the India Office for communication to Mr. Montagu. On a recent occasion in the House of Commons I was attacked for having undertaken to forward a similar message of this Assembly by a clear the line cable. Sir, in spite of that criticism I am quite prepared to give the same undertaking as I did on that occasion. As to the merits of the Resolution, it would be improper for me, at any rate, as a Member of the Government, and what is more, as a permanent Civil Servant of the Crown who has served directly under Mr. Montagu, to express any opinion on his services, and indeed I think that every Member of this House will appreciate the reason for this view, for a right to express approval would connote a great deal more a right to criticize. And it is not always that the policy of a Secretary of State might commend itself even to non-official Members of this Chamber. Strictly speaking, indeed, I believe that the Resolution before the Assembly now might have been disallowed on the ground that it was not part of the duty of the Government of India to transfer messages of this kind to the India Office, but I feel that the House would have thought that we had been acting very ungraciously if we had recommended such a course to His Excellency. It was in this view that we were glad to give this House an opportunity of paying its tribute of respect and gratitude to Mr. Montagu if it so desired.

At the same time, I must make one suggestion and that is, while expressing their appreciation of the conduct of the late Secretary of State, Honourable Members ought in propriety to abstain from anything which might even be interpreted as casting any imputation upon the conduct of others. Any such action must be embarrassing to the Government of India and might have injurious results, for as I think all Members of this Assembly understand, the position of the Government of India, particularly in regard to this question of the Turkish peace terms, is one of some delicacy. It has never been alleged that we had no right to formulate our views. I believe indeed that it has been authoritatively stated that it was not only our right but our bounden duty to express the views of India on this subject and I do not think either that we have ever been criticized officially for wanting to publish them. In no way, as far as I know, has the conduct of the Government of India been impugned by His Majesty's Government.

Sir, I have heard the word 'threaten' used once or twice in the course of this debate in connection with a possible change in the policy of His Majesty's Government *vis-a-vis* India. All I can say is that I have seen nothing in the correspondence on this subject which justifies any such apprehension in the mind of any one. I will cite the exact passage which I have in mind in making this statement, a passage from a speech of Mr. Chamberlain. I am quoting from a press extract, but I have no reason to suppose that it is not accurate. The citation runs :

'The acceptance of Mr. Montagu's resignation did not indicate a change of policy on the part of Government.'

Taking that merely as a telegraphic summary (I have no doubt that the fuller report of the speech when it comes out will give us more complete information), I submit that the bare statement which I have read out supports the view which I have put before the Assembly. I have only one more word to add. It has been suggested that the policy of the Government of India *vis-a-vis* the non-co-operation movement, in particular in relation to the arrest of Mr. Gandhi, was affected by Mr. Montagu's resignation. I want to make the position on that point quite clear and definite. The resignation of Mr. Montagu had nothing whatever to do with our action in prosecuting Mr. Gandhi. All I can say is that in our present policy, whether it was right or wrong *vis-a-vis* those who are leaders in this non-co-operation movement, we have had the loyal support of the Right Honourable E. S. Montagu.

**Rao Bahadur C. S. Subrahmanayam** (Madras ceded district and Chittor : Non-Muhammadian Rural) : I have been listening to my Honourable friends who preceded me and I wondered whether the Resolution which is printed here found a place in the speeches. We have met here to express our regret at the resignation of one of the greatest Secretaries of State for India, and our high appreciation of the services he had rendered to this country. The news of the resignation was received over a fortnight ago and owing to the exigencies of the business of the House this subject could not be brought up before the House much earlier. Now, as it has come to-day, we forget the main purpose of this Resolution and we take note of circumstances which have arisen during the last fortnight. And so, with our usual short memories, we have gone on and talked about things which have taken place subsequent to the resignation and forgotten to say much about the Resolution itself. Now, there is a way of whittling down or diluting a proposition and in the multitude of criticisms and counter-attacks, like those we have seen dealt out this afternoon, we are apt to overlook the main purpose of the proposition. In these days, Sir, facts and events crowd so fast upon each other that, before we have time to look over the events of a few days past, other happenings divert our attention and previous events become merged with those that have succeeded. The criticisms which have been referred to, I mean the remarks which have appeared in newspapers, have no place here. That was what I wanted to put before the House. In regard to a change in the policy of Government because Mr. Montagu has resigned, we have been assured by the highest authorities very soon after the resignation that there is no such likelihood, and that apprehension, at any rate at present, need not be entertained.

The fact which should always appeal to every student of Indian History and every man who loves this country is that during the short period of less

[Rao Bahadur C. S. Subrahmanayam.]

than five years, Mr. Montagu has been able to hurry matters so and to do what probably could not ordinarily have been accomplished in 25 or 30 years. If the steps taken in the matter of Reforms are looked at in their proper perspective, the ordinary observer will see that, in his short tenure of office he has taken India along far far ahead of what might have seemed possible even during a much longer period. That is the fact which we ought to remember first.

There is another aspect of his career in connection with India which we should not forget. He was held up to obloquy ; he was assailed in vituperative language, and the early part of his tenure of office was marked by a volume of abuse in India itself from various sections of the community. He withstood all that ; he overcame all that and, in spite of that, he has been able to carry out his main purpose of lifting the status of this country to a much higher level than that it was before. I, Sir, associate myself with all that has been said by my Honourable friends which is germane and relevant to the Resolution before the House.

**Maulvi Abul Kasem** (Dacca Division : Muhammadan Rural) : Sir, I beg to associate myself with every word that has fallen from my friend, the learned Mover of this Resolution. I will follow the advice of the Leader of the House and not digress from the main point of the Resolution or bring in something which may embarrass the Government. I have to say this that, as an Indian, I am grateful to Mr. Montagu for all that he has done for India and its people and everyone knows what he has done. But as an Indian Mussalman, I am all the more grateful to him for what he has done for Islam and the Indian Mussalmans. (Hear, hear.) I have only to add, Sir, that the Government of India, Lord Chelmsford's Government and Lord Reading's Government, and Mr. Montagu, were doing all that they could do earnestly, honestly, sincerely and zealously, for the Khilafat question, and this knowledge was the only thing which enabled me and many of my friends to come to this Assembly and to associate with the Government with a light heart and clear conscience. (Hear, hear.) In these days, Sir, India is divided into various parties and we can hardly talk of a united India in the general sense of the term. We have got our Moderates and our Nationalists, we have got our co-operators and our non-co-operators, we have got the Hindus, the Muhammadans, the Parsis and the Jains ; but, at any rate, there is a united India, so far as Mr. Montagu's personality is concerned (Hear, hear) and so far as the feelings of gratitude to him for his services and regret at his resignation are concerned. On the announcement of his resignation, the thing which attracted my attention most was the telegram of gratitude and regret sent to him by Maulana Abdul Bari of Lucknow and Mr. Musheer Hossain Kidwai, two devoted leaders of the Mussalman community, so far as the Khilafat question is concerned, and this has brought about a united feeling in this matter, and I believe that those who have eyes to see and ears to hear will make a note of these facts in framing the future policy with regard to Islam and India. With these few words, Sir, I beg to associate myself with the Resolution on behalf of myself and my Muhammadan friends and countrymen, both in this House and those without the range of my hearing. (Applause.)

**The Honourable Dr. T. B. Sapru** (Law Member) : Sir, in speaking to this Resolution I am afraid I cannot forget the restraints which my office

imposes on me. I am not going to speak one word about constitutional proprieties or improprieties, nor am I concerned with any attack on any person who may be directly or indirectly involved in the resignation of Mr. Montagu. As an Indian Member of the Government who has the privilege of sitting in this House, I think I should have been wanting in my duty if I contented myself by recording merely a silent vote. Sir, if we go back to the history of political agitation in this country during the last 30 or 40 years, what is the outstanding fact that we observe? I think everyone in this House, who has been in the public life of this country during the last 30 or 40 years or who has been associated at some period or other of his life with the National Congress, will bear me out that the great pioneers and leaders of political life in the eighties of the last century were not Indians but some Englishmen. Even to-day names like those of Allan Octavius Hume and William Wedderburn are names to conjure with among Indians. It is very seldom, however, that you find Englishmen occupying official position arousing the enthusiasm which Englishmen out of office do arouse.

It was not till Allan Octavius Hume and William Wedderburn had given up their office that they stepped forward to lead the country in political life, the development of which we all know: but it was the rare good fortune of Mr. Montagu that, while he held office, he aroused enthusiasm about himself in the Indian mind, such as no other Englishman before his time had aroused. I am, therefore, entitled, more particularly because I have been behind the scenes and I have watched the process of the development of the Reforms since the year 1917, to ask, what is the secret of the hold which Mr. Montagu has upon the Indian mind and upon Indian belief. Any other Secretary of State may have given us reforms: his predecessors did give us reforms of some sort or other: any other Secretary of State in times to come may give us larger reforms; but the fact remains that, so far, there has not been that enthusiasm about any predecessor of Mr. Montagu as there has been about him. Why is it, therefore, that he has aroused so much enthusiasm? It is not really the actual amount of work that he has done, which is responsible for the enthusiasm, as the spirit in which he did it. (Hear, hear.) I think on one memorable occasion the late Mr. Gokhale made the observation that, if the bureaucracy were national in spirit, though it might be foreign in *personnel*, much of the dispute in this country would cease to exist. Applying it to Mr. Montagu, I think it may be permissible to say that, although he was an Englishman, although he was a foreigner, and although he represented a foreign system, yet in his outlook, in his hopes, and in his aspirations on behalf of India, he was perfectly national in spirit. (Hear, hear.) That was really the secret of his hold. I do not think, and I am speaking with the utmost possible sincerity of which I am capable, that it is possible for us to predicate of any English statesman, that he has been able to appreciate the Indian point of view so thoroughly as Mr. Montagu did. (Hear, hear.) But, Sir, the task of every reformer, as we all know, has been at all times, and in all ages, and in all countries, beset with difficulties of a considerable character. He has to fight against inherited prejudices, against hoary traditions, against beliefs and disbeliefs, which stand in his way. When he has conquered these initial difficulties, he has got to fight against the impatience of his own followers. All this may be said to have been literally true of Mr. Montagu, and although the difficulties in his way, both in England and in India, both with Englishmen and with Indians, were and have been very great, yet it must be acknowledged by the bitterest critics

[ Dr. T. B. Sapru. ]

of Mr. Montagu that never once, during all these six or seven years that he held the reins in his hand, did he ever falter or lose faith in the capacity of Indians or in the destiny of this country.

Sir, when I appeared before the Joint Parliamentary Committee in 1919, as a witness, a Committee of which Mr. Montagu was a member, the one impression left on my mind as on the mind of every other Indian, to whatever school of political thought he might have belonged and howsoever much he might have differed from Mr. Montagu in regard to individual matters of reform and, howsoever much he might have regretted that Mr. Montagu was not prepared to go further than he actually went, was that we could not honestly dispute his intentions, or doubt for a moment that he was our warmest supporter and greatest friend. That was the conviction which every Indian brought back with him from England. Sir, there are some who hold that the Reforms which are associated with the name of Mr. Montagu were a very big step. There are others who hold that the Reforms did not go as far as they might have. I am not going to enter into this controversy. I recognise that there are two opinions possible on this question. But what I do maintain is that, if there is a party to-day among the Indians which is prepared to work the Reforms honestly and zealously and faithfully in the hope that these Reforms will lead to bigger Reforms until our national aspirations are fulfilled in their entirety, it is due to the personal influence and magnetism of Mr. Montagu. (Hear, hear.) I think it would be a great mistake to suppose that the Moderates, and I claim to be a Moderate of a certain type, were absolutely in agreement with Mr. Montagu. Let me assure the House and let me assure everyone interested in that assurance that there can be no greater mistake than to suppose that the Moderates were in complete agreement with Mr. Montagu. But the fact remains that, although there may have been disagreement between them, although some Moderates may have thought that Mr. Montagu had not gone as far as he might have gone, yet there was not a single Moderate who did not implicitly believe in his sincerity and in his love for India. That was really the secret of his success.

Sir, I do not wish to take the time of the House unnecessarily. But one thing I shall venture to say, and it is that, long after the present-day controversies have been forgotten, long after the present clash has yielded to a serener atmosphere, when our best aspirations and our highest ambitions are realised, the names of Mr. Montagu's critics will be forgotten names and if the name of any Englishman will then stand above every other name to evoke the highest gratitude from Indian hearts to England, that name will be the name of Edwin Samuel Montagu.

**Sir Jamsetjee Jejeebhoy** (Bombay City : Non-Muhammadan Urban) : Sir, I should like very briefly to associate myself with the speakers who have preceded me in their just tribute to the services of Mr. Montagu to this country. His name will go down to history as that of a liberal statesman of great sympathy for the vast population of this country. The Resolution gives expression to the universal feeling of all communities, great or small, in India. As a representative of a small community, I can justly say that my community had the fullest confidence in his statesmanship in initiating and carrying through the Reforms. I can only trust that this policy will not be departed from even by a hair's breadth, as such a course will be fraught

with the utmost danger to this country and the British Empire. By all means let us pursue the policy of preserving law and order, but, for Heaven's sake, do not talk of putting the Reforms into the melting-pot.

**Rai Bahadur Bishambhar Nath** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I cordially associate myself with the Resolution that has been moved by my Honourable friend, Mr. Samarth. Sir, it was at a critical juncture indeed that the Right Honourable Mr. Montagu accepted the office of Secretary of State for India. It is needless for me to say, how by his broad statesmanship and sympathetic administration of Indian affairs, he has rendered a signal and conspicuous service to the British Commonwealth. In fact, by his skilful piloting, he has saved the ship of Indian affairs, if I may say so, from being wrecked on many an occasion. He did not take long to realize that, if the British connection with India is to endure, as it is desirable that it should for the good of either country, nay for the good of the British Commonwealth and thus for the world, the old wooden bureaucratic system of administration must give way and give way very soon to a responsible form of Government in India. He did not rest satisfied with merely entertaining a pious thought, as perhaps many in his position might have done. He seriously took up the matter and translated his words into deeds by getting the Reform Act passed. He succeeded, I am glad to say, in placing our country on the road to responsible Government, which I am sure will not take long in leading her to reach the desired goal. Sir, I would not refer to the painful circumstances which led to his resignation. It is not for me to say, how he felt a victim to an unjust and unrighteous cry of the shortsighted people who are not friends of India. I would simply content myself with paying my humble but respectful and sincere tribute to the work done by Mr. Montagu for the good of our country.

**Mr. Syed Nabi Hadi** (Rohilkhand and Kumaon Divisions: Muhammadan Rural): Sir, I have great pleasure in associating myself with the remarks made by the Honourable Mover of this Resolution. India has had a series of able Secretaries of State, some of whom have rendered important services to India but I am sure I am giving expressions to the feelings of this House when I say that among the occupants of White Hall no body occupies a more prominent or a more honourable place than the Right Honourable Mr. E. S. Montagu whose untimely and sudden resignation has sent a thrill of sorrow throughout the country.

It is hardly possible to attempt to do anything like justice to the great works of the outgoing Secretary of State. India will ever remember with gratitude the Declaration of 20th August, 1917, made in the House of Commons shortly after Mr. Montagu came into office. Mr. Montagu's appointment had raised high hopes in India and to the unperishable credit of that distinguished statesman, it must be remembered his record of devotion and sacrifice has well fulfilled those hopes.

His coming out to India in the cold weather of 1917, conducting a thorough and careful examination of the Reform question, receiving numerous deputations, patiently discussing the whole problem with those interested in the matter and subsequently producing a report duly signed by himself and Lord Chelmsford are events of but yesterday. The introduction of the Government of India Bill in the House of Commons gladdened the hearts of friends of Indian political Reforms. The appointment of the Joint Committee of the

[ Mr. Syed Nabi Hadi. ]

Parliament was another momentous event. How skilfully Mr. Montagu piloted the Bill through the House of Commons bound him ever closer to the hearts of Indians with chains of affection.

His advocacy of the Indian cause in Crown Colonies and Self-Governing Dominions shows how completely and unqualifiedly Mr. Montagu identified himself with the cause of this country.

His efforts to secure fiscal autonomy for India are a further proof if proof be needed that Mr. Montagu's activities to improve the lot of the country knew no limits.

But I would be failing in my duty if I abstain from mentioning that unsurpassed and perhaps unsurpassable services which the late Secretary of State rendered to the Khilafat cause. In fact, Sir, it is impossible for any critical observer to ignore this matter in relating to the history of past three years. Mr. Montagu himself has said that he was on the verge of resigning previous to the 6th March. It is no secret now that on several occasions Mr. Montagu pressed the Muslim and Indian point of view before the Cabinet with a warmth and insistency which could not perhaps be exhibited by any body except an Indian. It is fitness of thing, Sir, that in passing this Resolution we should specifically refer to the noble efforts made by him in the Khilafat cause.

Among the various and many services rendered by Mr. Montagu will ever be remembered by posterity with gratitude and affection the Reforms Scheme to which this House in its present form and in its present powers owes its existence and his advocacy of the Khilafat cause which is a matter of religious faith with over seventy millions of His Majesty's subjects.

In conclusion, I may add that the latest efforts of His Excellency Lord Reading and the Right Honourable Mr. Montagu in respect of Turkish problems have placed not only His Majesty's Indian Muslim subjects but I can say the whole Muslim world under a deep obligation. In doing so I dare say the Indian authorities have done their best for the good of the Empire in pacifying the feelings of the Indian Muslims to a certain extent.

As my amendment is covered by the Resolution as explained by the Honourable Mover I do not wish to press it before the House.

With these remarks I support this Resolution.

**Mukhdum Sayed Rajan Baksh Shah** (South-West Punjab : Muhammadan) : (The Honourable Member spoke in the Vernacular\*.)

**Mr. Abdur Rahim** (North-West Frontier Province : Nominated Non-Official) : I feel most deeply the event that has taken place. I think everybody will agree with me that the resignation of Mr. Montagu has excited the indignation of the good and the wonder of the bad. I am sorry, Sir, that the speakers who have just preceded me have taken a very narrow point of view in judging him ; and if I may take the liberty of saying so, they have done him an injustice. I will say this, Sir, that he was the only Minister, the only statesman, of which a State could be proud. When I was in England, I did not have the honour of being his friend ; but I always listened to his speeches in the Union Club and I have been a constant reader of his speeches ; and I will describe him in a few words as the only Minister in this time of

\* The original speech together with an English translation will be printed in a later issue of these Debates.



prejudice who had equal esteem and love for all the sons of Adam. He was a man whose conviction was that man was not made to be the property of man. He was a man; Sir, who believed that the happiness of the governed was the sacred duty of every Government. He was a man who never changed unless the beings whom he governed changed; he was a man who when fear failed to control any matter looked for love, affection and goodwill. He had the support of an approving conscience which instructed him to do what was right and leave the consequence to God. Sir, I say that he was a man whose heart always throbbed for the good and for the happiness of India. This being the case, Sir, it is the sacred duty of every Indian to have his image in his eyes, to have his virtue in his heart, and he should consider Mr. Montagu's resignation as a personal loss with indignation and despair.

**Mr. T. A. H. Way** (United Provinces : Nominated Official) : Sir, I rise to express my sympathy with the spirit underlying this Resolution, the spirit of appreciation of the great benefits which have accrued to India from the scheme of Reforms associated with the names of Mr. Montagu and Lord Chelmsford. (Hear, hear.) We British officials in this country realise that we are here to help India to fit herself for Self-Government (Hear, hear, and that, if we are not here for that purpose, there is no justification for our existence (Hear, hear), and we believe that the Montagu-Chelmsford Reforms Scheme is a long step forward in the direction of that Self-Government. (Hear, hear.) Sir, recently many pessimistic things have been said even in this House about the Reforms by persons who perhaps do not fully understand the capacity of British statesmanship for successfully working illogical systems. (Hear, hear.) But, Sir, we British officials are optimists and we mean to make the Reforms a success (Hear, hear), and I feel sure that this House, by passing this Resolution, will show that it is not on the side of the pessimists.

Sir, the policy of the Reforms has been described as one of trust and conciliation, and even in this materialistic age there are many idealists among British officials in all parts of India and in all Departments of Government, civil and military, who believe in that policy. (Hear, hear.) Sir, one of the good results of the Reforms Scheme is that, in this House especially, non-officials and officials have had greater opportunities than before of getting to know and understand each other. Mr. Rudyard Kipling has said that we are all islands shouting to each other across seas of misunderstanding. (Hear, hear.) The Montagu-Chelmsford Reforms Scheme has bridged some of those seas (Hear, hear), some of our non-official friends have discovered to their surprise that we are not so satanic as they thought us (Laughter), and, when they see us close, we appear to be almost human, and they find that our ideas of duty and pleasure are not merely limited to forcing people to pay taxes and sending them to jail. On the other hand, officials also have had an opportunity of a new and extended angle of vision and have learnt many new things. For instance, we learnt lately that the policy of the Government of a mighty Empire may depend upon the pay of a stenographer. Sir, in these critical times, India has great need of optimism and idealism. The Montagu-Chelmsford Scheme of Reforms is full of optimism and idealism, and therefore I express my sympathy with the spirit of this Resolution. (Hear, hear.)

**Munshi Iswar Saran** (Cities of the United Provinces : Non-Muham-  
 4 P.M. madan Urban) : Sir, in paying one's tribute to Mr. Montagu, it is not necessary to compare him either with Disraeli or with Gladstone or to go the length of saying that he has the combination of the good



[ Munshi Iswar Saran. ]

qualities possessed by both. Nor is it necessary to critically review the whole career of Mr. Montagu as Secretary of State for India. It may be that there exist differences of opinion as regards the policy of Mr. Montagu in relation to certain matters, but I do not wish on this occasion to sound any discordant note. I wish to say that amongst the public men in England of the front rank there is not one man who has the same intimate knowledge of Indian questions as Mr. Montagu, nor is there one man amongst them who has the same intimate and real touch with the public men in this country. Mr. Montagu has stood by us firmly and has tried according to his own lights to discharge his duty faithfully. But, Sir, my submission is that Mr. Montagu has been a greater friend of England than of India. He had the vision to see that the old machinery could not continue to exist; he had the vision to see that you could not keep down one-sixth of the human race under a machinery which had got completely out of gear, and, therefore, in the interest of England and in the interest of India, he tried to give us these Reforms in conjunction with Lord Chelmsford. Sir, I am one of those who believe that these Reforms have not created a new heaven and a new earth. My Honourable friend, the Law Member, has said that he is a Moderate of a certain type, and, Sir, I do not mind saying that I am an Extremist of a certain type. I am one of those who hold that these Reforms are not quite satisfactory and are not quite adequate. But, Sir, we recognise that, if Mr. Montagu had not those limitations under which he had to work, if he had not to take into consideration the forces that were arrayed against him, it is our belief—it may be right, it may be wrong—that he would have gone much further than he has actually gone. Sir, we have heard much about the Khilafat question, but before I speak about it, I do not forget the warning given to us by the Honourable the Home Member that we should not criticise the Government in England or for the matter of that, anybody, because, poor and helpless as we are, our criticism might offend people in high quarters and that might bring very serious consequences for ourselves. Sir, I quite accept that.

**The Honourable Sir William Vincent:** May I rise to make a personal explanation? That is not the line that I took at all. Indeed, the statement is, if I may say so, an unfair misrepresentation of what I said.

**Munshi Iswar Saran:** I only quoted the Honourable the Home Member and I drew my own inferences. I have never said that the Honourable the Home Member has asked us to draw these inferences.

Sir, it is not for us in this House to sit in judgment on the action taken against Mr. Montagu by anybody in England. There are those who hold that, if there was a constitutional blunder committed by Mr. Montagu, it might well have been condoned. But, be that as it may, I must take this opportunity of saying that there is a widespread feeling—and again I repeat, I do not pause to consider whether that feeling is right or wrong—that Mr. Montagu has been made the victim of the change that has come in the attitude of some people in high quarters. Sir, if that be so I sincerely hope and I devoutly pray that it may not be so—then I join with my Honourable friend, Mr. Samarth, in saying that any change in the present policy will lead to most disastrous results, not only for this country, but for the Empire as a whole.

Sir, as regards the Khilafat question, I was going to say that the Muhammadans of India—Hindus are in considerable sympathy with Muhammadans in

regard to the Khilafat question—are all agreed that the Government of India and Mr. Montagu have done all that they could in favour of the Khilafat question, and they hold, —rightly or wrongly is a different matter—that the Government of India and Mr. Montagu did very well in publishing that telegram, because that showed to them clearly, unmistakeably, that they were making the most strenuous efforts in order to have the claims of Muhammadans in regard to the Khilafat question, and indeed to have the views of the entire Indian people in regard to this burning topic of the day, prominently brought before the authorities concerned. I submit, Sir, that if such an announcement had been made a little earlier, it is possible that the course of events in this country might have taken a different turn completely. It is very seldom on public questions that I find myself in agreement with the Honourable gentlemen occupying the front Benches on the Government side, but there is one remark which I shall ask your permission to make. Never was a truer sentiment expressed than the one that was expressed by the Honourable Sir William Vincent when he said that he was not disturbed by the comments of the 'Times' or by the comments of any other paper. That, I submit, is the right attitude for us to adopt. Simply because there appears something against Indian aspirations in some papers it is unmanly to lose courage, to lose heart,—I deprecate it and I deplore it. And, if the Honourable Sir William Vincent will permit me to say so, I agree with him entirely that, in spite of what has appeared or may appear in future in these papers, let us sincerely hope that the policy of the Government of India and the authorities in England will continue to remain as it is. Nay more, the policy of Government, we hope and trust, will be changed and made more responsive to the changed and changing feelings and sentiments of the people. As regards Mr. Montagu, let me add only one more word. We hope that, as he is now out of office and no longer under those restrictions under which he was so far, he will be able, in his freer position, to render greater service to India. Mr. Montagu understands the Indian problem, and has got a grasp of the difficulties that are confronting the people and Government to-day, and I sincerely hope that, by his advocacy of our cause, he will be able to render distinguished service not only to India, but to India, England and the Empire.

**Mr. W. M. Hussanally** (Sind : Muhammadan Rural) : Sir, I heartily associate myself with what has been said by my Honourable friends, and, in supporting this Resolution, I will confine myself only to the Khilafat question, a question which has sorely tried the Indian Mussalmans for all these years. One cannot help feeling that the Cabinet, in accepting Mr. Montagu's resignation, has perhaps put back the hopes of the Indian Mussalmans in regard to a treaty with Turkey which would be acceptable to the Muslim world. The Premier announced some time back that the British nation was prepared to revise the Treaty of Sevres and the Mussalmans are well aware that that was due to the earnest efforts and endeavours of Lord Chelmsford, the present Viceroy, and the Government of India, in which our friend, the Honourable Mian Sir Muhammad Shafi, could not have escaped playing a very important part.

But, Sir, all those efforts would have been of no avail without the whole-hearted support of the Secretary of State. To all of them the grateful acknowledgments of my community are due. The Mussalmans of India, as I said before, cannot let Mr. Montagu's retirement go without expressing to him the deepest gratitude and sympathy. Perhaps no Mussalman in his place could

[ Mr. W. M. Hussanally. ]

have tackled this very difficult question in a better way than did Mr. Montagu and it is all the more painful to us that this very problem should have been the cause of his resignation. Sir, we Mussalmans, in lamenting the inopportune resignation of Mr. Montagu at this juncture, must remind the British Cabinet that nothing short of the restoration of Thrace . . . .

**The Honourable Sir William Vincent:** Is the Honourable Member in order in discussing the Treaty of Sevres, or the action of His Majesty's Government in connection with that treaty, on a motion of this kind?

**Mr. President:** I was just going to draw the Honourable Member's attention to the fact that the discussion of foreign policy is beyond the purview of the Assembly. The Honourable Member has already made his point sufficiently clear.

**Mr. W. M. Hussanally:** I was only putting forward the view and feeling of the Mussalmans of India on a matter so vital to them, but, if I am ruled out of order, I shall not refer to it.

I would conclude then and add that Mr. Montagu's name will go down to posterity as a byword and will be inscribed in the pages of history in letters of gold.

**Mr. Jamnadas Dwarkadas (Bombay City : Non-Muhammadan Urban) :** Sir, you can understand my eagerness to speak on this Resolution. As the House will probably remember, it was my privilege last month to move the House express unanimously a vote of confidence in Mr. Montagu. At that time a notice of motion was given by Sir Joyson Hicks to move a vote of censure on the late Secretary of State. Fortunately, the attempt to discredit Mr. Montagu in Parliament was then defeated, but, the day after that motion was defeated, we had the misfortune to read in the very paper whose comments my Honourable friend opposite and Mr. Iswar Saran would ask us to belittle, namely, the '*Times*,' that the time had come when Mr. Montagu should give up office. I admit, Sir, that we never knew at the moment that that paper which we are asked to belittle exercised so great an influence over the Cabinet that its suggestion should be carried out after a short time by the Cabinet. I believe, Sir, that it would be difficult for us to belittle things that appear in a paper of that character. But this I must say, that, even though the Cabinet in its apparent dislike of Mr. Montagu was influenced by what appeared in the '*Times*' I want this to be made clear that nothing that the '*Times*' or, for the matter of that, any influential paper in London writes will influence the opinions of the Indian public, of this House, or will prevent this House from taking the course which in the service of this country it thinks proper to take.

It would be, Sir, inappropriate on my part not to speak of, and express once more, the confidence that the House has in Mr. Montagu when he is out of office, especially when I did so with great emphasis when he was still in office. I join hands with my Honourable friend, Sir Deva Prasad Sarvadhikary, in feeling that, optimistic as I am, I have no reason to despair of India's future because the Secretary of State is gone. The other day, speaking on a Resolution of Mr. Schamnad Bahadur, my Honourable friend, Sir William Vincent, took a very gloomy view of the present situation in India. He was justified in taking that view. Several things

happening around us dishearten us and, for a moment, make us believe that after all the future of this country is very uncertain. I admit that there was great force in this fear expressed by my Honourable friend. I admit that, if this fear exists, it is due largely to the behaviour of those Indians who, not understanding the high goal to which Mr. Montagu intended to lead this country, threw dust on him in season and out of season, tried to discredit him and joined hands with those reactionary forces in England, who, at the same time, were also engaged in discrediting this noble Secretary of State. Their views were divergent; the Extremists were working from an angle of vision which was entirely different from the angle of vision which promoted the reactionary forces in England, but, unfortunately, one thing was common to both, and that was their narrowness of vision, that want of a wider outlook, which alone brings out all that is best in a man in working for a noble goal, that goal here was to bring both countries together for the welfare, not only of this country, or of Great Britain, but also for the future welfare of the world. It was this lack of understanding on the part of the Extremists here; it was this lack of understanding on the part of the reactionaries in England, which is responsible for the giving up ultimately of office of a man of Mr. Montagu's calibre, whose services, however much we may try to give expression to our appreciation of them at the present moment, can never be estimated at their true value now; but they are sure to be fully estimated by future generations when his work will have accomplished that permanent union between Great Britain and India which is so necessary for the welfare and for the progress of the world.

Sir, I associate myself with all that has been said about Mr. Montagu and I agree with my Honourable friend, Sir Deva Prasad Sarvadhikary, in what he said, that Mr. Montagu outside the Cabinet will be a greater force for the good of India than Mr. Montagu inside the Cabinet. I want to assure for Mr. Montagu from my seat in this House that sensible opinion in India will look upon him as the leader of that opinion in England.

**The Honourable Sir William Vincent:** Sir, I move that the question be now put.

(Several Members expressed dissent.)

**Dr. Nand Lal:** (West Punjab: Non-Muhammadan): I must thank the Chair for giving me a chance to speak.

Sir, there is a unanimity of opinion in this country that Mr. Montagu endeavoured to do justice to his trust and eventually succeeded in doing that. There can be no two opinions about the fact that he secured for India the right of representation in the League of Nations. It cannot be denied—and it has been admitted on all hands—that his sincere attempt was that India may have equal status. On account of all his noble actions in the interests of India he deserves commendations and praises at the hands of Indians, and I think in moving the Resolution, under debate, we are doing what we ought to do. To my mind, Sir, Mr. Montagu was head and shoulders above some statesmen in England and in other countries and there are several reasons for the distinction which he has won. To my mind, as Under Secretary, he had a golden opportunity of studying the Asiatic minds and the Indian views. Being a very attentive student, he studied these questions very intimately and the result of that intimate study was his success. He came to

[ Dr. Nand Lal. ]

realise that nothing can gainsay the fact that there was an innate love in the mind of an Englishman to give representative institutions to every deserving people in the British Dominions. He came to realise that it is always better to pay sufficient regard to the aspirations of educated Indians in India. He came to realise that it is sympathy, deep sympathy with Indians which will strengthen the bond of affection between England and India. He had that political courage which, I may be allowed to submit, his predecessor did not exhibit. The introduction of the present Reforms bears testimony to his political liberality. He did not act like a philosopher thinking that perhaps the result may not be good. He had that political courage which made him come out and at once advocate and plead that Reforms should be given to Indians. Since he has done all this for us, as I have already submitted, we feel indebted to him and I think we are doing our duty to express our sincere appreciation.

As to the question 'what will be the fate of the Reforms now?' I am one of the optimists and my own view is this that the Reforms will succeed and that they have really brought home to some of the critics that the Indians are quite capable of doing justice to what has been given to them and they are quite ready to receive what may be granted to them after a reasonable time. With these few remarks, I wholeheartedly support the Resolution which has been so ably moved by my learned friend, Mr. Samarth.

**Mr. J. Chaudhuri** (Chittagong and Rajshahi Divisions : Non-Muhamadan Rural) : I move that the question be now put.

**Mr. President** : The question is :

'That this Assembly recommends to the Governor General in Council that he be pleased to cable to His Majesty's Government that :

The Assembly expresses its deep sense of regret at the resignation by the Right Honourable E. S. Montagu of the Office of Secretary of State for India, in which capacity he rendered invaluable services to India and the Empire, for which services this House desires to convey its profound sense of gratitude to him and its unabated confidence in the policy pursued by him as the only policy which wise statesmanship dictates in the best interests of the Empire.'

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 27th March, 1922.