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FOURTH SESSION  
OF THE  
COUNCIL OF STATE, 1924.



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# COUNCIL OF STATE.

Monday, 15th September, 1924.

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

## MEMBER SWORN.

Lieutenant-Colonel John Clayton Coldstream, O.B.E. (Punjab : Nominated Official).

## QUESTIONS AND ANSWERS.

### AMENDMENT OF THE USURIOUS LOANS ACT, 1918.

404. THE HONOURABLE MR. HAROON JAFFER : (a) Will Government be pleased to state the result of their inquiry into the working of Act No. X of 1918 and into the question raised by Khan Sahib Maulvi Abdul Quadir, M.L.A., while introducing his Interest Act (Amendment) Bill in the Assembly on the 27th March 1923 ?

(b) What further steps do Government intend to take in the matter ?

(c) Do they intend to introduce their own Bill against the principle of " Damdupat " ?

THE HONOURABLE MR. J. CRERAR : (a), (b) and (c). After considering the views of the Local Governments and other authorities consulted, the majority of whom including the Governments of Bombay and the Central Provinces do not favour any extension of the rule of *Damdapat*, the Government of India have come to the conclusion that no extension of the rule is necessary or desirable. They have also decided, after considering the views of the authorities consulted, to postpone further consideration of the question of the revision of the Usurious Loans Act, 1918, till more experience of its working has been gained.

### EXCAVATIONS IN THE SHANWAR WADA, POONA.

405. THE HONOURABLE MR. HAROON JAFFER : Will Government be pleased to state—

(a) how far has the work of excavation in the Shanwar Wada, situated at Poona, progressed ;

(b) how much work still remains to be done ;

(c) when will it be completed ;

(d) what is the cause of the delay ; and

(e) when will the Shanwar Wada be open for the use of the public ?

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THE HONOURABLE SIR NARASIMHA SARMA : (a) The inner courtyard of the palace, containing fountains and channels, together with the surrounding rooms, has already been excavated.

(b) Approximately one-sixteenth part of the area remains to be cleared, but some of the structures already unearthed await conservation.

(c) The work covered by existing estimates will be completed in about three years from the time when adequate funds are made available.

(d) Want of funds.

(e) The Shanwar Wada is already open to the public by a free pass.

GRANTS BY THE ORDNANCE FACTORY TO THE ALEGAONKER SCHOOLS AT KIRKEE.

406. THE HONOURABLE MR. HAROON JAFFER : Will Government be pleased to state—

(a) how many children of the labourers of the Kirkee Arsenal and Ammunition Factory, Kirkee, attend the Alegaonker Schools at Kirkee ;

(b) besides the contribution deducted from the salaries of the men, what monetary help does the Ordnance Department give to this school ;

(c) is it a fact that this department gives support to such schools situated at Jubbulpore and other places where such factories are situated ;

(d) why is no Government help given to the Alegaonker Schools ; and

(e) do Government intend to give such help ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : The information desired by the Honourable Member in so far as the question concerns the Ammunition Factory, Kirkee, is as follows. The required information in regard to the Kirkee Arsenal has been called for and will be furnished to the Honourable Member on receipt.

(a) 162.

(b) Boys employed in the Factory and attending these schools are given an increase in pay of 6 pies *per diem*. A sum of 8 annas a month is deducted and paid to the school as fees. The money thus paid to these schools during 1922-23 amounted to Rs. 1,521. These fees are in lieu of a grant and no further grant is made.

(c) Yes.

(d) and (e). Government do not consider that any further assistance is called for.

DEMOLITION OF THE RAILWAY BRIDGE NEAR THE SANGUM, POONA.

407. THE HONOURABLE MR. HAROON JAFFER : (a) Is the Railway bridge near the Sangum, Poona, being demolished ?

(b) If so, did Government, in deciding to demolish the bridge, take into consideration the fact that it had previously been used for the transit of *Tazias* on the occasion of Moharram processions ?

**THE HONOURABLE MR. G. L. CORBETT :** (a) Yes. A bridge under the railway has been substituted for the overbridge in question.

(b) Government have no information beyond the fact that the scheme was approved by the Local Government.

**RECOMMENDATIONS OF THE INDIAN BAR COMMITTEE.**

**408. THE HONOURABLE DR. DWARKANATH MITTER :** (a) Have the Government of India received information as to what steps have been taken by the different High Courts in India, respectively, to give effect to the recommendations of the Indian Bar Committee ?

(b) If so, will the Government be pleased to state in what manner and to what extent the recommendations have been given effect to in the different High Courts, respectively ?

**THE HONOURABLE MR. J. CRERAR :** (a) and (b). Certain rules framed by the Calcutta High Court were published with the Home Department Notification No. F.-422-24-Judicial, dated the 5th September 1924, but the Government of India have no information whether any other High Courts have framed rules to give effect to the recommendations of the Indian Bar Committee. They are still awaiting the views of the Local Governments, High Courts, and other authorities consulted in the matter.

**APOLOGY BY THE HONOURABLE MR. HAROON JAFFER FOR NON-ATTENDANCE AT THE MEETING ON THE 11TH INSTANT.**

**THE HONOURABLE MR. HAROON JAFFER** (Bombay Presidency : Muhammadan) : Sir, before we proceed to the ordinary business of the day, I wish to say a few words in explanation. I am really sorry that on the last meeting day, that is the 11th instant, I was absent from here and caused so much inconvenience to His Excellency the Commander-in-Chief and other Honourable Members of this House. I did send a telegram three days before the meeting that I was not able to come on the 11th, but I think it was considered to be faulty by the Department. I wish to make it quite clear that my absence on that day was not intentional, and I am very sorry for any inconvenience I may have caused.

**THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY** (West Bengal : Non-Muhammadan) : May I have your permission in this connection, Sir, to make a suggestion to the Honourable the Leader of the House for consideration. When for unavoidable reasons an Honourable Member is absent and is unable to ask a Colleague to put his question all the trouble and labour of the Departments and Honourable Members' time is wasted if the answer which has been prepared is not given on account of his absence. Unless there are strong reasons to the contrary, it would be an advantage for the Honourable Members opposite to give their answers (as they have the right to do if they choose), so that they may be available to the public and form the basis of any future action that Honourable Members may desire to take.

**THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN** (West Punjab : Muhammadan) : Sir, I also rise for the same sort of explanation ;

[Col. Sir Umar Hayat Khan.]

but I did send a wire that I was caught by a flood and could not get out. I hope my wire got here in time.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member) : Sir, although I feel sure that the House will readily accept the explanation which has been given by two of our Honourable Colleagues with reference to their absence on the days when their questions were put down on the agenda, I would like to mention to the House that the Honourable Mr. Haroon Jaffer first sent a telegram asking the Department to put down his questions for the 11th. In compliance with his request the questions were so put down on the agenda of the 11th. Subsequently, again, a telegram was received from him in the office to the effect that he would arrive before the 14th. Apparently the telegram must have been mutilated in the Telegraph Office and the word "not," which I have no doubt my Honourable friend intended to emphasise in his telegram, was missing in the telegram as it was received by the Department. The Department, in view of the express request already made by him that his questions be put down on the 11th, took this telegram to be a confirmation of his previous telegram and that is how the whole affair took place.

With regard to the suggestion made by my Honourable and learned friend opposite (Dr. Sir Deva Prasad Sarvadhikary), I would like to mention that there is already a provision in our rules that, whenever the Government regard the answer to a question put down by any Honourable Member as of importance, and that Honourable Member happens to be absent on the day for which the question has been put down, it is open to the Government to give the answer even though the Honourable Member may not be present.

THE HONOURABLE THE PRESIDENT : I think the House will agree with me that this matter may now be dropped. The telegram sent by the Honourable Member was certainly not as clear as it might have been, and the officials of the Council had no alternative but to put his questions on the agenda of the day for which he had already asked.

At the same time the Honourable Member has made it clear that no intentional discourtesy to the Council was intended. I think we may accept fully the explanation which he has given, and I would only emphasise what the Honourable the Leader of the House put before the House the other day, namely, that if Honourable Members are unable to be present to put their questions, they should give timely notice to the officials of the Council and, if possible, to the department concerned. I may add that it is always open to Honourable Members to ask a friend to put their questions on their behalf, in which case of course no complication will arise.

#### RESOLUTION REGARDING THE RECOMMENDATIONS OF THE LEE COMMISSION.

THE HONOURABLE MR. J. CRERAR (Home Secretary) : Sir, I rise to move the Resolution which stands in my name. Before I do so I have been requested by the Honourable the Home Member to express to the House his regret that urgent business in another place prevents him from being in his place in this House to-day, and he trusts that the House will acquit him of

any discourtesy in the matter. I am sure the House has a sufficiently lively recollection of the solicitude with which the Honourable the Home Member, when he occupied your august Chair, Sir, asserted the dignity and prerogatives of this House to absolve him from any such imputation.

Sir, I move this Resolution in redemption of an assurance which I was authorised last May to give to the House, that before any orders were passed on the recommendations of the Royal Commission this House would have an opportunity of expressing its views on those recommendations. The Report has now been for some time in the hands of Honourable Members, and I may safely assume that it has received their close attention and examination. As I do not wish to trespass unduly upon the patience and indulgence of the House and as I have in a brief space of time to cover a very extensive tract of ground, I shall not weary the House with any mere recapitulation of matter of which they are already in full possession. I do not propose to refer to the history of the appointment of this Commission. The Commission has been unjustly charged with omitting matters which did not fall within their terms of reference. On this point I shall only say this. The passing of the Government of India Act created new conditions and it was clearly important, apart from the unmistakable urgency of the question of relief to the Services, that early steps ought to be taken as soon as sufficient experience should be obtained to bring the organisation of the Services more closely into conformity with the new conditions so set up. That may appear to some Honourable Members an unduly limited objective. But it was certainly a very necessary and logical objective. The Commission were not instructed to proceed on a hypothetical basis, but on the basis of the Act and of the policy underlying it in respect of the Services. They proceeded on that basis; they entered on their task with ardour and devotion and completed it with due deliberation, but nevertheless with remarkable despatch. I think, whatever views may be held of their conclusions, a recognition of these facts is due to the distinguished members of the Commission. Nor can anything be imputed to the advisers of His Majesty in the matter other than an honest and earnest desire to promote, in the words of Bacon, "a sober and laborious inquiry of truth" and to select the fittest instruments for that purpose. If the Report does not assume solutions of great constitutional issues, which as a matter of fact have not been yet solved, it not only does not prejudice them but keeps them clearly in view. If the Commission had attempted to do more than this, they would have exceeded their instructions.

Having regard, therefore, to the conditions in which the Commission entered on its labours, to the high authority and grave responsibilities conferred and imposed upon it by His Majesty, and to the distinction of its members, the House will, I think, be prepared to treat their united counsels with the respect which they deserve and will recognise the significance of the view which they emphasise as to the inter-dependence of their agreed conclusions and the spirit of compromise by which they have been inspired. Though the Commission has not hesitated to recommend bold and extensive measures of advance, no extreme views have prevailed, and doubtless none of the advocates of the various interests affected will express themselves as fully satisfied. But

[Mr. J. Crerar.]

that is an inevitable incident of any attempt to reconcile on a basis of compromise divergent views and interests. Compromises do not always lead to sound conclusions ; but when a Tribunal with the authority of a Royal Commission, one of the highest Tribunals recognised by the British constitution, and constituted as this Commission was constituted, is able to arrive at unanimous conclusions, that remarkable fact lends to their agreement a very special degree of significance and importance. I would remind the House that compromise in the best sense of the word means conciliation.

I now turn to the definite proposals of the Commission and again I shall limit myself to essential principles and to the widest issues. The issues are indeed of the greatest moment and magnitude. They affect in almost all of its component parts an administrative machine which, in the complexity of its structure, the diversity of its functions, the heavy burden of its duties and its responsibilities, has no close parallel at the present day and no precedent in history. Whatever the form of government, an efficient administrative service is an indispensable condition of good government. Any Government which does not hand over to its successor contented, efficient and incorruptible services will have been guilty of one of the greatest possible derelictions of duty, especially if that transfer should take place at a crucial time of transition. Further, if the administrative services are to carry out honestly and impartially the policy of Government they must be safeguarded from the insidious dangers of political influence. Every modern State has learnt, generally by bitter experience, the necessity for these safeguards and they have been clearly recognised in the recommendations of the Royal Commission on the subject of the control of Services.

The present position, as the House is aware, is that the control of the All-India Services is vested completely in the Secretary of State in Council. The Commission would leave this position unchanged in respect of the Services operating in the reserved fields, and they would place the Services operating in the transferred fields under the control of the Local Governments. The basis of these proposals has been ably and acutely examined by a member of the Commission, Professor Coupland, in a separate Minute. He points out that they are based on two of the cardinal principles of the reforms. If the one principle was to make Ministers and Legislative Councils responsible in the fullest practicable degree for the good government of the transferred field, the other principle was that the Secretary of State and Parliament must remain no less fully responsible for the reserved field. Only through the Secretary of State can the responsibility of Parliament be fulfilled. It cannot be fulfilled through any other agency if responsible government is to be interpreted and practised in accordance not merely with constitutional forms but with the well established lessons of political experience. The responsibility is too great to be broken at any point. It must form from link to link a single chain.

As regards their second proposal—that relating to provincialisation—the Commission, as I have said, have not hesitated to urge a great and a significant advance. I am aware that there is a considerable body of opinion—and of Indian opinion—which holds that, looking to the future, looking to the ultimate consolidation of India as a national and political unit, this may prove to be too great a concession to centrifugal forces. That is a position which is entitled



to respectful attention, but regarding the proposition as a whole, I think it will be admitted that it is in consonance with the policy and purposes of the Act and the predominant voice of political opinion in India.

The Services affected are the Indian Educational Service, the Indian Veterinary Service, the Indian Agricultural Service, the Indian Forest Service in Bombay and Burma, and the Buildings and Roads Branch of the Indian Service of Engineers. I leave in a category by itself the Indian Medical Service, which presents problems of special difficulty and intricacy on which no summary decision is possible. But with the reservations stated in the Resolution the Government of India are provisionally prepared to accept the Commission's recommendation for the constitution of Provincial Medical Services.

In regard to the next point of major importance—the Indianisation of the Services—the Commission has taken a view radically different from that of its predecessor and proposes a step far in advance of anything that has hitherto been contemplated. I will only invite the attention of the House to the following figures so that Honourable Members may visualize what it is that these proposals actually mean. I take the All-India Services. The present sanctioned strength is 4,279; their actual number is just under 4,000. It is estimated that on the proposals of the Commission, about 1,300 posts, so far as future recruits are concerned, will be provincialised, and I will assume for the sake of argument that this means practically complete Indianisation. There will remain something under 3,000 posts on an All-India basis but of these 3,000 it is contemplated that the greater portion will eventually be filled by Indians. In every case except the Police it is recommended that Indian recruitment to these Services should be more than half the total, while in the Police it is proposed to recruit half and half. If the proposals of the Commission are given effect to, there will, I estimate, eventually remain in the All-India Services only some 1,300 British officers including the doctors of the military reserve. If we confine our consideration to the two security Services—the Indian Civil Service and the Indian Police—the number of posts which will eventually be held by Europeans on the proposals of the Commission is less than 900. I sometimes wonder if it is realised that, when the Indian Civil Service consists half of Europeans and half of Indians, there will only be 675 officers employed in the whole of India in the important tasks which this service performs and of this number less than 400 will be filling posts of major responsibility, the remainder being under training in less responsible posts or on leave. Is it really suggested that some 400 British officers employed in important Secretariat or administrative posts, as heads of districts, as Sessions Judges, as Judges of the High Courts, as Political officers and the like, is an excessive number for a country with a population of over 300 millions?

To these proposals the Commission attach a corollary which, for the reasons which I have already briefly indicated, is vital and indispensable. They urge that the Public Services Commission contemplated by the Government of India Act should be established without delay; and they urge further, with special reference to their proposals for provincialisation, that Public Service Acts to regulate the conditions of service in the Public Services should be passed with as little delay as possible.

[Mr. J. Crerar.]

Well, Sir, can it be denied that these proposals go far? To many they appear to go too far. They certainly do not err on the side of undue caution and timidity. Indeed, I have heard apprehensions expressed that, apart from the question of European and Indian recruitment, they will raise serious problems in the sphere of Indian recruitment alone. The Muhammadan community and other communities are apprehensive that they may suffer in the process. Several of the Provinces evince alarm at the possibility of the importation into their jurisdiction of an undue number of officers from other Provinces. It is clear that questions of this character cannot be met without some departure from the principle of unrestricted competition. The policy of Government in the matter was explained more than a year ago by Sir Malcolm Hailey; but it is evident that these issues must inevitably arise, under the Lee Commission's proposals, in a new and a more acute form. I can say no more than that they are engaging the very serious attention of the Government of India.

Taking a broad survey of these proposals, it is at any rate obvious that the Commission did not, as many were disposed to anticipate, put on their terms of reference the narrow construction of a mandate to propose reliefs for the Services. It is to this aspect of the question that I now turn. The Commission approached this problem with two main objects in view. The first was relief to the officers now in the Services, and the second was the maintenance on the scale they proposed of recruitment to those Services.

The financial position of the Services had been urgent for a long time and it had become more urgent with the lapse of time. That was established by an elaborate inquiry instituted by the Government of India into the rise in prices before 1912. These questions again formed the subject of examination in 1912 when the Islington Commission was appointed. That Commission laboured under what in those distant days was not uncommonly incidental to such inquiries, a more than elephantine period of gestation. It reported after the outbreak of the war. The war raised perilous and portentous issues to which all others had of necessity to yield precedence. Many members of the Service went to the war. The rest bent themselves to the tasks which had been allotted to them. They got no relief such as was obtained by the Civil Services in the United Kingdom in the shape of war bonuses or otherwise.

It has frequently been contended that that was the right form in which to grant the relief. That may be so. But had the relief been given in that form and at that time, the cost up-to-date to the Indian Exchequer would have been a matter not of lakhs but of crores. The orders on the Islington Commission's Report, many of the recommendations of which necessarily had already become largely obsolete, were issued during the years 1919-20 at a time when financial and economic oscillations were violent and unpredictable. It was impossible to foretell what the stable level of adjustment would be, and many of the anticipations then formed were falsified by events. Then we had the Montagu-Chelmsford inquiry. We had the enactment of the Government of India Act in 1919,—another momentous change in the data. There was the inquiry instituted by the document commonly known by the name of my predecessor. There was the inquiry by Lord McDonnell's Committee, but

as the Royal Commission rightly observes, the result of all these inquiries was merely to state the propositions and not to solve them. Now it has never been contended on behalf of the Services that they should be restored to the position occupied by their more fortunate predecessors. They do not claim to be relieved of their share of the burden of the war and of the disturbing economic conditions which supervened. They only claim that they should be placed in a position to discharge their duties under tolerable conditions without the continual strain and anxiety of great and growing financial embarrassments. The revisions of pay of 1919 did not attempt to go further than this. There was one vital assumption on which these revisions were based—the exchange value of the rupee. I will not recapitulate the evidence to show that that is a fact. It has been affirmed so explicitly by men who are in the best position to judge, including the then Viceroy and the then Secretary of State for India, that the matter is no longer open to debate. It will be observed that the proposals of the Commission are largely designed to meet the needs of the remitter, as is apparent from the main form in which they propose that relief should be granted. They suggest that an addition of Rs. 50 a month should be made to overseas pay, and that the whole of the overseas pay should then be converted into sterling at a 2s. rate of exchange. The Government of India prefer to put this proposal in a simplified form by which the overseas pay will be stated in sterling and paid in sterling. The officer will be protected against loss if the rupee falls below 1s. 4d., and if the rupee rises above 1s. 4d. the profit will go to Government. Another of the most crushing burdens which fell upon the Services was the enormous rise in the cost of sea passages. I believe it is a fact that an officer who before the war could take his wife and one child to England and back for Rs. 3,000 and could do it in 1920 for Rs. 2,000 could only do it now for Rs. 5,000. The Commission proposes to give a moderate relief in this respect. As regards officers holding administrative posts, the Commission did not arrive at a unanimous conclusion. The majority of the Commission proposes to give relief to posts whose pay does not exceed Rs. 4,000 a month. The Government of India are disposed to take a middle course. They are impressed by the fact that the financial circumstances of many officers holding administrative posts are straitened and that it will in many cases be a matter of administrative necessity to raise the pay of certain posts above the time-scales to correspond with the relief given at the top of the time-scales, so that the proportion between the officer on the time-scale and the officer holding an administrative post may not be unduly disturbed. At the same time they consider it unnecessary to extend the grant of relief to any officer drawing at present more than Rs. 3,000 a month except in respect of passages.

In the matter of pensions the Commission declined to re-open the question of the refund of the 4 per cent. contribution to officers of the Indian Civil Service. It must be remembered that under the system which terminated in 1919 the pension of a member of the Indian Civil Service was not £1,000 per annum as commonly represented. It has been calculated that an officer of the Indian Civil Service formerly contributed £250 a year to his own pension and received only £750 per annum from the State. It will not be till 1944 that any officer of the Indian Civil Service will receive a pension of £1,000 per annum. Those now retiring receive very much less. The Commission proposed to grant certain enhanced pensions to members of the Indian Civil Service who attain the high

[Mr. J. Crerar.]

rank of Member of Council or Governor. The Government of India are unable to accept this proposal. It has been argued that the great and special responsibilities devolving on Members of Councils and Governors clearly differentiate them from other administrative and judicial officers in the service, and that the increase advocated by the majority of the Commission is a very moderate recognition of this fact. On the other hand, the pensions of the Indian Civil Service have hitherto always been on a uniform basis, and any breach in this uniformity might lead to a total reconstruction of the whole of the pension system which the Government of India are not at present prepared to advocate or to undertake. Therefore, Sir, the only reward which these officers will obtain is the honour of having served India in some of the most exacting and most arduous posts under the Crown. In the case of the other Services the proposal is for a moderate increase of Rs. 1,000 a year in ordinary pension from 25 years' service onwards. The inadequacy of the existing rates has been a long-standing ground for complaint. The pension was fixed originally nearly 70 years ago at Rs. 5,000 a year which at that time was worth £500. Under the proposal of the Commission the 30 year pension will now bring £612-10s. It is, I think, not an excessive increase to cover the changed conditions of so long a period.

These are the main recommendations of the Commission in regard to financial relief, and I shall leave it to my Honourable Colleague the Financial Secretary to explain them and their consequences in fuller detail. I will only say this that the Services have suffered the "Hope deferred that maketh the heart sick". The Commission themselves have given testimony to the whole-hearted acceptance of the reforms and the spirit of the Government of India Act by the Services and their anxiety to assist and play their part in the progress of India along the road to self-government. In spite of much obloquy, they have not deviated from this path. If I should select any particular Service which has been more exposed to such attacks but which has nevertheless, in spite of such attacks and in spite of the hardships and perils peculiarly incidental to their profession, persisted steadfastly in the path of duty, it would be the Indian Police Service. If the recommendations made on their behalf and on behalf of the Services as a whole are moderate and equitable, as I contend they are, they should be granted without further delay. Efficient and contented services are not more essential to the Government as at present constituted than to the Government as it may hereafter be constituted. Inefficient and discontented services must prove the most costly of all.

I will touch very briefly on the subject of recruitment. The Commission have proceeded on the assumption that a certain though a much reduced element of Europeans in the higher public Services will be required for a considerable number of years to come. I do not think,—and I am encouraged in this belief by a letter written by an Honourable Member of this House which I recently saw in the Press and which struck me by the spirit of generosity and goodwill by which it was inspired—I do not think that any Honourable Member will desire to contest that assumption and I do not therefore propose to fortify it. Indeed I myself look forward to the day when India, having attained to her full political stature, will of her own free

will desire to retain the services of European officers. It has been suggested that this result could be obtained and these prospects could still be kept in view if European recruitment were suspended in order to accelerate the process of Indianisation. I would remind the House that as a service is an organism of slow growth so also it extends its roots, the sources of its life and renovation, both wide and deep. There has been a tradition of the inheritance from father to son of service in India and there are distinguished records of services in India rendered by members of families whose names are household words. There have been, and there still are, traditions at the Universities and the great schools of England giving encouragement to an Indian career and making provision for it. These old and valuable traditions,—valuable certainly to England, but even more so to India—can easily be destroyed, but if you cut them at the root they will die and they cannot be revived.

That, Sir, is the plain and unvarnished tale which I have to lay before the House. I have not attempted to adorn it with any flowers of rhetoric or to point it with any thorns of controversy. I have made no attempt to sway the judgment of the House by any invocation of emotion or prejudice. I have appealed to the reason, the sense of justice and the statesmanship of the House. I am prepared to base my case on that appeal and on that appeal alone. The House is now in full possession of the views provisionally arrived at by the Government of India on the main recommendations of the Commission, and I think that, whatever may be the judgment of Honourable Members on questions of principle or on questions of detail, they will agree that these recommendations represent a serious, a sincere, and a statesmanlike endeavour to arrive without fear or favour at just and practical conclusions. These large issues, on which so much that is momentous for the expeditious as well as for the orderly and peaceful progress of the country depends, ought to be approached with a large mind; and I say this not with regard to any particular aspect of the problem, such as the relief of the Services, but equally with regard to those great questions of reconstruction and reorganisation, on all of which, as the Commission so strenuously plead, the integrality of their report as an organic whole is based. I urge, Sir, that we for our part ought to take a broad perspective of that structure.

I urge that we for our part ought to approach these issues in the spirit of the words of the most statesmanlike of philosophers and the most philosophic of statesmen, "Magnanimity in politics is not seldom the truest wisdom."

**THE HONOURABLE THE PRESIDENT:** The Honourable Member has still to move the Resolution which stands in his name?

**THE HONOURABLE MR. J. CRERAR:** Sir, I move the Resolution that stands in my name.

**THE HONOURABLE THE PRESIDENT:** But it has not been read out?

**THE HONOURABLE MR. J. CRERAR:** No, Sir.

**THE HONOURABLE THE PRESIDENT:** That has to be done under Standing Order No. 60.

**THE HONOURABLE MR. J. CRERAR :** I move :

“ That this Council recommends to the Governor General in Council :—

- (1) that the following recommendations of the Royal Commission on the Superior Civil Services in India be in principle approved—
  - (a) that while the existing system of appointment and control of the All-India Services should, in present conditions, be maintained in reserved fields, the following Services operating in transferred fields, namely, the Indian Educational Service, the Indian Agricultural Service, the Indian Veterinary Service, the Buildings and Roads Branch of the Indian Service of Engineers in those provinces in which the two branches have been separated, and the Indian Forest Service in Bombay and Burma, should so far as future recruits are concerned be appointed and controlled by Local Governments ;
  - (b) that recruitment of Indians for the Services in reserved fields should be increased as recommended ;
  - (c) that, having particular regard to recommendation (a), early steps be taken to constitute the Public Service Commission contemplated by section 96-C of the Government of India Act and to enact such legislation as may be necessary ;
- (2) that pay, passage concessions and pensions be granted to the officers of the Superior Civil Services in India approximately on the scale recommended ; and
- (3) that the recommendation of the Royal Commission regarding the constitution of Provincial Medical Services in Governors' Provinces be accepted in principle subject to —
  - (a) the employment in the provinces of an adequate military reserve ;
  - (b) the provision of adequate medical attendance for British officers in the Civil Services and their families ; and
  - (c) the further consideration of the conditions necessary to secure an adequate number of British medical recruits for the needs of the army.”

**THE HONOURABLE THE PRESIDENT :** I think it will be convenient at this stage if I explain to the Council the course which I propose to adopt with regard to the amendments of which notice has been given. As the Council has no doubt observed these amendments fall into two classes. First, there are those of the Honourable Sir Deva Prasad Sarvadhikary and of the Honourable Mr. Karandikar, which are of a dilatory character. They express no opinion on the merits of the proposals put forward in the Resolution, but suggest that action be delayed until, in the case of the Honourable Sir Deva Prasad Sarvadhikary, the inquiries about the Reforms have been completed, and action has been taken thereon, and, in the case of the Honourable Mr. Karandikar, a fresh Committee, to be set up by the Legislature, has dealt with the recommendations. The other amendments agree with the Resolution, in so far as it propounds an immediate decision, but seek to modify it in varying degrees of stringency. In order to prevent confusion I have decided that the Council shall first be called upon to decide whether a delay should occur in dealing with the proposals of the Lee Commission or not ; and, as the Honourable Sir Deva Prasad Sarvadhikary's amendment suggests an indefinite delay, whereas the amendment of the Honourable Mr. Karandikar suggests only a delay until a Committee of the Legislature has taken action, I shall call upon the Honourable Sir Deva Prasad Sarvadhikary first. I shall also divide his amendment into two parts and call upon him to move, in the first instance, only that portion of it, ending with

the words "recommendations of the Lee Commission", which suggests dilatory action. When he has moved this amendment—and in so doing I shall allow him to cover the whole of the terms of the Resolution and of his amendment—I shall call upon the Honourable Mr. Karandikar. I shall allow him similarly to deal with the whole field covered by the Resolution, the Honourable Sir Deva Prasad Sarvadhikary's amendment and his own amendment, but I shall not permit him formally to move his amendment until that of the Honourable Sir Deva Prasad Sarvadhikary is out of the way. If the Honourable Sir Deva Prasad Sarvadhikary's amendment is carried, then that of the Honourable Mr. Karandikar will not be called up, but if the amendment of the Honourable Sir Deva Prasad Sarvadhikary is defeated, then I shall call upon the Honourable Mr. Karandikar formally to move his amendment and take a decision on that. Once these two dilatory amendments have been disposed of, I shall deal with the other amendments, including the second part of that standing in the name of the Honourable Sir Deva Prasad Sarvadhikary, but it should be clearly understood that these can be put in their entirety only if the dilatory amendments are defeated. If either of the dilatory amendments is carried, then only such parts of the other amendments will be put as are not inconsistent with the decision in favour of delay. I desire once again to make it clear that the whole of the Resolution and the two dilatory amendments will be open to discussion to the whole House pending the decision upon the question of the delay, but I shall not expect the Members, who have given notice of amendments of a different kind, to elaborate the points of detail contained in their amendments until the time comes, if it does, for them to be considered.

**THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY** (West Bengal: Non-Muhammadan): Sir, I beg to move the amendment standing in my name and having regard to your ruling I shall read out the whole of the amendment but would not move the last portion of it for the present.

**THE HONOURABLE THE PRESIDENT**: I think it would be convenient if the Honourable Member reads out the amendment which he intends to move.

**THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY**: I move:

"That this Council recommends to the Governor General in Council that it be represented to the Right Honourable the Secretary of State for India that pending the inquiries about Reforms and action that may be taken thereon, it is not desirable to give effect to the recommendations of the Lee Commission."

The portion of the amendment that will not be now moved but will be moved later is shown in the paper and need not be read out except to show what connection it would have with the first portion of the amendment and the context.

Before proceeding to speak on my amendment I desire to congratulate the Honourable the Home Secretary on the lucid and dispassionate manner in which he has presented the Government case before the House. I am sure we should have been glad to see our old friend, the Honourable the Home Member, here to-day if it was possible. He has not been good enough to visit us since he left us and this would be one occasion when we should have looked forward to his presence in our midst. But, Sir, as has been explained, business elsewhere detains him and if I may say so the lucid presentment of the Honourable

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Mr. Crerar has left nothing to be desired. He has taken all possible care to leave controversial matters out and to import none of that bland bravado and pitiless pleasantry that have been attempted elsewhere on the Government Benches for no useful purpose. It will be my endeavour and I am sure it will be the endeavour of all Honourable Members to keep the debate on the same high level and to do our barest duty on the occasion, which for me happens to be on a line different from that of many others in this House. The Honourable Mr. Crerar comes here in an atmosphere which was described by Lord Pentland as "deliberately and wisely constructed in order to represent powerful interests and men with larger stake in the country." My misfortune is that I can hardly claim to be one of such and my duty is to put the popular point of view for I belong to the people, a point of view which may not find large favour here. The Honourable Mr. Crerar comes with the confident modesty of an assured victor who has only to walk in to look round and to win. If as in ancient times, when the Rajput's own citadel gate was closed against him if he happened badly to lose an action elsewhere, Mr. Crerar's attitude might have been different. He is assured of victory here!

But that will not dissuade me from trying to do my duty and to take my defeat, for some defeats are better than victories as some victories are worse than defeats. I could not allow judgment to go by default without trying to put in the point of view which I believe animates the large bulk of what I may be permitted to call the people of the country, the intelligentsia if you like whom some are anxious to see separated from the masses from certain points of view. Sir, on previous occasions it became my duty, sometimes painful, to have to withdraw Resolutions and amendments for which I found not the least chance of success in this House. But on an occasion like this such a course would serve no useful purpose, for the Government Resolution is there and will have to be dealt with and be passed in any event. You have been pleased to describe my motion as a dilatory one. It may be so from certain points of view. But it is not put forward with the object of mere idle delay. I am prepared to discuss the Report on its merits, to show that my mentality is not one of obstructive dilatoriness, but it is only the exigencies of the situation that have obliged me to put forward the suggestion about the postponement of this question till the Reforms Committee, which the Government saw fit to appoint, following their own departmental Committee, to investigate closely the possibilities of further action even in regard to the Reforms under the Government of India Act, has reported though this is not the time to refer fully to the evidence that has been given before that Committee in public, not *in camera* as in the other case. I think public opinion is considerably satisfied that all that has been going on under the Government of India Act and the Reforms Scheme is not in the best interests of the country and drastic changes are needed. It has also come out that those officials who have to deal with the Ministers in the transferred departments of the Provinces are not always having, to put it mildly, a happy time of it. That tension has been the order of the day is clear, and if in some Provinces diarchy has partially or fully failed, it is largely, if not wholly, due to the existence of that tension between the ministry and the officials who are charged with the carrying out of the orders and decisions of the ministry.



Having regard to that fact, it is incumbent upon those who have the ordering of things to wait and see what further developments take place, to see what action the Reforms Committee suggest to minimise that tension and for having the decisions of the Ministry concerned better carried out. That, Sir, is in part my reason for urging that, in view of the present examination of reform measures that is going on, Government should wait and watch before undertaking large administrative changes affecting the uncertain future.

Taking some of the points of merit which I think I ought to indicate, as showing that, not merely on the ground that I am putting forward for delay but on the merits also, it would be desirable to wait and obtain further public opinion regarding the Lee recommendations, which both in principle and detail the Right Honourable the Secretary of State has shown a commendable desire to obtain. Let us take in the first instance the financial question. In the House of Lords and elsewhere we were given to understand that the expenses involved by what was proposed by the Commission would be somewhere near 1 crore,  $1\frac{1}{2}$  crore if not  $1\frac{1}{2}$  crores a year in time. The Honourable the Finance Member elsewhere said the other day that we need not talk at all of the finances in this concern in crores, for they are in lakhs. Well, Sir, I have never been able to understand financial legerdemain feats; and when the opportunity occurs there may be an obstacle that vanishes like a wall of water when other opportunities demand precedence. I shall take the figures as they have been given in the other place though I am not persuaded that they are correct. The Government of India will not have to pay more than 26 lakhs, I believe, and it can do so when necessary; but I shall go back to my own Province where the seemingly modest sum of 9.3 lakhs will have to be spent. Situated as we are in that unfortunate Province—I shall not refer to political and other questions but merely to the financial question—we have to find and pay in the near future 63 lakhs of rupees, which the generosity of the Legislature and the Government enabled us to get for the last three years. And, Sir, with regard to the question of retrenchment which has been engaging attention here as elsewhere, although an influential and representative Retrenchment Committee has been recommending fairly large reductions in Bengal, reductions amounting I believe to nearly a crore of rupees, Rs. 98,25,900 to be closer,—no more than Rs. 9,28,000 have been retrenched so far and the ultimate reductions in view are no more than Rs. 11,56,000. That is the position of Bengal which is invited now, in addition to the 63 lakhs of rupees that she will have to find in regard to questions arising out of the Provincial Contribution Scheme, to meet this addition of over 9 lakhs. I say Bengal is not able to bear that burden. That in itself would be enough reason for my entering a protest.

With regard to the larger questions involved by the Lee Commission's Report, I shall take one other aspect of the question. Sir, it is very unedifying, it is undignified, to have to quibble about meeting the legitimate grievances of those who are serving you, those who have undoubtedly served well in the past and those who, if left alone, will serve us as well and better in the future. I for myself would be prepared to treat the grievances and complaints and requirements of those who are already in service with the fullest

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measure of generosity that would be permissible on the materials placed before us ; I should like to separate their case from those larger questions of policy in the future which have been hopelessly and unwarrantably mixed up in the recommendations of the Lee Commission. The adamant interdependent pact if I may so call it, that the Lee Commission made the pivot of their recommendations, has been much in the way of treating separately the case of those whose immediate grievances have to be, and I say ought to be, immediately satisfied on proper materials. I shall not indulge in any meticulous examination of the wording of this Resolution, as to whether the words " in principle " and " approximately " do not give the whole show away from the point of view of the interdependency of the recommendations. Nor shall I refer to those changes in the recommendations voiced in this Resolution which the Government of India have themselves shown readiness to suggest. Take for example their generous and seemly consent to the withholding of larger pensions in the case of an Executive Member of the Government or a Governor. I need not go into details but say that the interdependence does not stand. The belated addition of the question of the Medical Services in this Resolution and elsewhere shows that that interdependence has for all practical purposes disappeared. I suggest therefore that the case of those in service, or who are immediately affected by the situation that has arisen out of the Reforms, should be taken up and redressed on proper materials as soon as possible. Sir, family budgets have been circulated although the evidence before the Commission is not forthcoming. But who has ever troubled about the family budgets of those from whose pockets this crore and a half (or 9 lakhs for Bengal) is to come ? But I should not allow questions of that kind to stand in the way of justly dealing with the case of those whose grievances are legitimate and well-founded. Unfortunately, Sir, the terms of reference have been somewhat widened, and a subtle change in interpretation has come in which has permitted the Commission not to confine itself to the absolute requirements of the case, but has permitted enunciation of questions of policy, questions of future control and recruitment on racial basis that would not on a strict reading of the terms of reference arise. It has enabled them also to change and differentiate in a way that was not intended regarding the position of members of the same Service, with the same training, recruited in England but having a different domicile. If 20 per cent. increase of pay was intended, as the Finance Member's statement would show, it might have been given straight away instead of being *camouflaged* to the detriment of Indian Members. Those who tell us that we are making bad blood between the people and the Service by withholding our immediate assent to these recommendations—to them I shall answer back that by mixing up these questions you have made the position more difficult. The tension is not only between the people and the Services, which did not exist before, but also between different sections and members of the same Service. We have been told a certain proportion of Europeans is necessary in order to secure the British character, or what other people have called, the Steel frame character of the administration. Well, before 1919 questions of that kind did not trouble the authorities. They were content to have as members of the same Service men, whether Europeans or Indians, but sufficiently trained and

recruited in England, and they had exactly the same privileges, the same concessions, the same pay. Now for the first time questions of pay, of overseas allowances, of exchange compensation and of special privileges, medical attendance, etc., have been imported which have certainly led to tension between these two sections of the same Service who are inequitably differentiated and among whom amity and good feeling have so long prevailed. Questions of that kind hardly affect those who are already in service, who had entered service with their eyes fully open as to what was in store for them and whom the questions arising out of the reforms would in no way affect so far as those details are concerned. This differentiation for the first time is an unfortunate aspect of the recommendations which to my mind would in itself be a good reason for hesitating to accept them. Shall I say, Sir, that for the first time in the Superior Services what may be called a diarchy of colour has been attempted to be introduced? I do not want to labour these points because the time is limited and even with your indulgence, Sir, I do not think I can deal in sufficient detail with these matters. But I think that it is possible to deal with the Report keeping aside these questions and limiting the consideration to those who are in service already, our obligations and duties towards whom I fully recognise and am prepared to meet. I say there are good reasons why we should wait regarding the rest till we know exactly where we are. If the small measure of reform that has been introduced has already created a flutter, why, we ought not to complicate future issues by bringing in those who will be disgruntled more than those who are now in service, because of the worsened possibilities of the situation. Are we sure that if we go on as we are going on we shall be getting the best Europeans that we want? The Honourable the Home Member said elsewhere the other day that if recruitment were stopped for five years there will be 340 vacancies, not 20 as some people had put forward. At the present moment I am confining myself to the European members. In the Indian Civil Service out of 1,400 we have 164 Indians. Supposing the limit that has been put forward were to be attained in a given number of years, would it be so much of a disaster if on the strength of Indian recruitment alone we were to go on for the time being, even if 340 Europeans disappeared in 5 years, and after the atmosphere cleared up we reverted to the old system of recruitment? Knowing as I do my friends in England I have not the least apprehension that matters will suffer in regard to recruitment if it were to be resumed later on. Sir, we had 21 applicants for 22 vacancies this year; in previous years it was either 20, 21 or 38, whereas before the war the applicants used to number about 200. Should we be content with getting what we can supplemented by military recruits as has been the case in the near past. An active propaganda to my own certain knowledge has been in operation to prevent European youths from competing for these posts; I have talked to some of them and dispelled their mistakes and seen them ready for competition. Let us take other spheres of usefulness where the European finds employment. Take the Indian States; take the Indian merchants; take the Indian Zamindars some of whom also employ Europeans. Take our missionary friends who have so selflessly given in the past of the best that is in them without considerations such as those which exercise the Services. Has there been any 'alling off in those directions? I have great faith, supreme faith, in the British people that when wanted on proper conditions they will be

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willing to give us a helping hand ; they have been doing so in the past and much good has come out of it. We expect, we hope, we want to work together. Questions of provincialisation or Indianisation do not necessarily rule out British association. On the other hand, no sane man would rule it out, except in so far as it is permissible and necessary in the changed circumstances that are before the country.

In the state of uncertainty in which we undoubtedly are, having regard to the further measures of reform which will create greater difficulties from the point of view of those who do not want to serve except under the old conditions to which the Honourable Mr. Crerar does not expect to get them back, I think the only reasonable course is to wait and in the meantime to give relief to those who are wanting it badly and whose case can be made out.

As I am not moving the second part of my amendment I shall not fully go into the question as to how by suspending recruitment we are not likely to suffer in the way that it is apprehended in some quarters we may do. But limiting myself to the first part of the amendment, I think there is a strong case for waiting and seeing what the Reforms Committee, that is now sitting at the instance of Government of India, recommends and what further action Government are prepared to take.

Sir, the Resolution speaks of the appointment of the Public Service Commission contemplated by section 96C of the Government of India Act. It is rather a gratuitous suggestion ; there was nothing to prevent the Secretary of State appointing this Commission and by rules directing that some of the powers that are vested in him might be made over to the Government of India ; in the wide words of the Government of India Act, section 96C, the Public Services Commission should discharge in regard to the recruitment and control of Public Services in India such functions as may be assigned thereto by rules made by the Secretary of State in Council, and much could be covered by the Rules. Even if the Lee Commission's recommendations were held up, there is nothing to prevent the Secretary of State from appointing a Public Services' Commission to-morrow and getting all that he thinks necessary should be done. Therefore any delay with regard to this matter cannot handicap Government in any way.

With regard to what has been said about provincialisation and Indianisation, that they will suffer if the Resolution were not to be accepted, I myself am not troubled by the apprehension for a moment. Sir, I do not view this prospect of undiluted provincialisation with equanimity. We have always been for Indian unity and Indian progress as an organic whole and All-India Services are a great help in this. I may differ from some of my friends on this side of the House and in the country, but I say it will be a bad day for India and for the Services and for the Government when there is thorough and total provincialisation of the kind contemplated in water-tight compartments. I do not for a moment suggest that Local Governments ought not to have all the powers of control and discipline that are necessary for the purpose of proper work ; but that the Superior Services with regard to many branches that are now under the Central Government, I myself have not the slightest

doubt should continue central in the broader sense. Indian unity is what the Congress has always aimed at in its saner days. Indian unity as a whole and a free flow from the different provinces of men of light and leading in the services and in public life are alike needed. Take for example the department in which I am very much interested, education. Men from different provinces going to other provinces and giving of their best is, I think, the ideal that ought always to be kept before us, and in Calcutta we have been working up to it. Therefore, when we are told that provincialisation will suffer for the time, I myself am not perturbed; and when provincialisation comes I hope some means will be found of retaining some touch and control for the Central Government so that the prospects and ideals of a united and progressive India may not suffer. It was urged in favour of the immediate acceptance of the recommendations of the Lee Commission that otherwise national interests would suffer.

I myself do not for a moment think so. All sorts of considerations are urged and there has been loss of balance of judgment. We have been told for example that the recommendations of the Lee Commission amount to a verdict of the jury. Even the Judges have not had the evidence before them and the foreman of the jury attempted to address some of the Judges and what is more he, without an Indian past and future, attempted to call in evidence at this late stage. Lord Inchcape and others came forward willingly and the foreman of the jury was given an opportunity of reinforcing the case that he had made in the recommendations of the Report, which to a certainty has influenced the authorities in England. I do not think that is a sort of procedure that will find countenance and that should be allowed to influence judgment on the merits of the situation which should be dealt with in another way.

**THE HONOURABLE THE PRESIDENT:** The Honourable Member is drawing near to the end of his time.

**THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY:** I shall appeal to my friends on these Benches as well as on the other Benches, that it is only upon mutual trust and good-will and mutual regard for one another's interest that this Empire can be broad-based, and, if there are genuine apprehensions in the public mind that the immediate giving effect to all the recommendations of the Lee Commission is likely to lead to further unrest, Government should represent to the Right Honourable the Secretary of State that he should wait and see what further developments in the reforms are possible and likely to be made, and then take up household arrangements for the future.

**THE HONOURABLE MR. R. P. KARANDIKAR (Bombay: Non-Muhammadan):** Sir, I rise to support what has just fallen from my friend the Honourable Sir Deva Prasad Sarvadhikary. But, in doing that, it may be understood that I am not going to give up the amendment that stands in my name. I have every hope, if the first amendment is defeated, mine will be carried. And, even if I were to be brief on that occasion, I shall have the opportunity of requesting Members to remember what I am saying on the first amendment on this occasion.

When I begin my remarks, I beg it to be understood that, if I refrain from alluding to the numerous benefits that India has secured owing to the efficient

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administration under the Indian Civil Service, I am doing so only in the hope of curtailing my remarks, but I am not giving an inch of room for any suggestion that India does not appreciate what has been done by the Civil Service in the past. The question that is before the House is consistent with the march of the times and I really think that some wrong procedure is dogging the steps of this very important question. I really feel that this proposition should not have been moved by the representative of the Government of India. I also wish, though it is past time now, that it had not been moved in the other House first but that it had been moved here first. I had also hoped that the discussion of this subject would have been delayed for some time more.

When I say that the Government of India should not have undertaken to put forward this Resolution through their representative, I am reminded of the circumstances through which the discussion of this subject has passed. And I will, with your permission, try to place a few facts before this House. The whole trouble was caused by the theory of Indianisation and when a Resolution in that behalf was put forward in the Assembly it was passed and naturally adverse interests were stirred. I had an occasion to study a very remarkable document that proceeded from an Association which was known and is still known as the C. P. and Berar European Servants' Association. I had occasion to study that document of 19 paragraphs. That was in August 1922. I do not mean to say that it was in consequence of this protest that any swift action was taken in the matter, but there is a sequence of events. Soon after that we find the pronouncement about the appointment of the Royal Commission. The Assembly was not late in taking up this matter and in that Assembly the subject was discussed. Adjournment of the House was claimed and Honourable Members will remember that Sir Deva Prasad Sarvadhikary was one of the speakers on that occasion. I am also reminded here of the presence during that discussion of Mr. Samarth, whose interjections now and then brought out to what side his views were leaning. I have also gone through the literature of the Resolution in the Assembly, and I do find therein that the best case that could be put forward on behalf of the Government was done by Sir Malcolm Hailey, whose elevation to a very high place must have deprived the Government of India now, and the Government Benches as they are represented in the Assembly, of the assistance of that gentleman, which was very much needed in such discussions. I also find that Sir Charles Innes passed a few remarks accentuating the necessity for maintaining the prestige of those who had worked for India and in fact upholding the ancestry in the Service of such of those gentlemen so that lads who had given their time to study in the hope of coming out to India may not find discouragement hereafter in consequence of anything done by India in the interests of her self-government.

The terms of reference of the Commission were not then exactly known. Then came the Commission. In the Commission there were four Indian gentlemen who were appointed. One of them was Sir Chimanlal Setalvad. It is endeavoured in certain quarters to exploit the fact that this Report has been unanimously signed by the Indian members, and thus those who want to differ from the opinion recorded by the Indian members have to make out a strong case. I find, however, that their task is lightened by the fact that Sir Chimanlal Setalvad, who was one of the Commissioners then, ceased

to be on the Commission about October 1923, and was succeeded by Mr. Samarth. As to what would have been the views of Sir Chimanlal Setalvad, we are not kept in the dark now. Obviously, if he had been on the Commission, he would certainly have opined that recruitment must be stopped. Mr. Samarth was added to the Commission. There was also Mr. Bhupendra Nath Basu. This gentleman suffered from ill-health as he adds his note which is to be found in the records supplied to us. I had almost every hope that he would have devoted greater attention to this subject. He did everything in his power and we all appreciate his service. For him I have a high regard. Mr. Samarth who was present in the Assembly at the time when the adjournment motion was passed would have done well in the opinion of some not to have accepted the office of Commissionership on this Commission. But there it is. I therefore tried to discover the mentality of the four Indians who signed this Report, and I did go into the note that is added to the literature. In the note they make two points. One is that they have to keep contented the Services and it is for the purpose of helping the European Services that they have endeavoured to a great extent in the Report. I can easily see why these Indian gentlemen were influenced to that extent. I did discover from the tone adopted by the C. P. and Berar Association that they carried the matter so far and exaggerated the evils of the diminishing European element in the Services, and consequently those whom the Report reached were not quite in a balanced mood to consider the effect of their recommendations. The Indian Commissioners were also of opinion that by allowing the higher Services to be contented, they might smooth the way for the attainment of self-government. I have further gone into the matter and I am bringing to the notice of Honourable Members what is said in the literature that is supplied to us. The Indian Members, therefore, who signed this Report have paid scant attention to the principles that must govern the concessions—the rise in pay and the allowances that have to be allowed to the Services—however high, however efficient and however necessary they may be. In this respect I am fortified by the literature that has been placed in our hands recently. I am coming from Bombay and I went through this literature that has been placed in my hands to find out exactly how the Bombay Government stood with reference to the recommendations. On pages 5, 20, 41, 58, 95 and 107 you find what the Bombay Government has said in reply to the reference made by the Honourable the Home Secretary. In all those replies I find there is a small reference made to the opinion of the minority. I know the constitution of the Bombay Government. Unless the Governor gave his casting vote there could be no minority such as to be used in the plural sense and if I am right, it must be the Indian Members of Government who must have differed from the Government of Bombay. All through the replies, therefore, you find one sentiment and that is, the minority do not agree on a certain question—a very important question,—a condition precedent before any concessions are allowed. Speaking even for Bombay, it would be futile on my part not to notice what the Executive Councillors of the Bombay Government have said with reference to a certain question. All the recommendations therefore, that have been made by this Commission are not acceptable to the minority of the Bombay Government. The matter does not stand herē, let us refer to other opinions recorded by the Executive Councillors of other Presidencies. You will find

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on page 6 the opinion of the Raja of Mahmudabad : you will find on page 12 the opinion of Mr. Ganesh Datta Singh and on page 13 you will find the opinion of Mr. Fakhr-ud-Din. You will also find the opinions recorded by certain Associations not accepting the recommendations made by the Lee Commission. Therefore I am fortified in the situation that I claim this House should occupy for the purpose of determining such an important matter as is now before this House, and I owe it to the reference made by the Home Secretary to the various Governments and I am thankful for being supplied with this kind of literature, for if it had not been supplied to us, we would have been very much deficient in the arguments even if we were inclined to support our arguments by facts—we would have had nothing whatever to supplement our case. I therefore invite the attention of Honourable Members to the various opinions recorded in this compilation. I am not going to weary this Council by reading portions from it, but I do venture to think that before they come to a conclusion they will have paid attention to what is contained in this compilation, and that will sustain, I hope, the manner in which this subject is to be reached. The matter does not rest here. I was going to find out the principles involved. Really speaking in these recommendations, because we are asked to maintain the principles involved in these recommendations, what are they ? I have ventured to find out exactly if there are any principles. I did find one striking principle throughout, and that is the principle of expediency. I know expediency in politics plays a rather important part. Politics if it is a science that exists in the methods, then expediency is one of its principles. Expediency is a matter of opinion as experience might vary according to the situation. Let me try to see if the Lee Commission has ventured to go into the question of principles. The Lee Commission had before it ample material. The principles on which the remuneration of a public servant has to be secured have been laid down in Commissions times out of number. In the Islington Commission, if any gentleman's opinion is acknowledged to be sound, I would invite the attention of Members to the opinion of Sir Abdur Rahim and of Sir Mahadev Chaubal, whose opinions have been recorded in the Islington Commission's Report. I was also at one time inclined to mention Mr.—I will mention that name later on—but I was inclined to mention another name in that connection, but it is sufficient for the present to indicate that it will not do for anybody as a matter of principle to ignore the condition of the country, the financial condition of the country, the economic condition of the country, before he comes to settle the remuneration of the Services. It can never be accepted for a moment that India is for the Services. Obviously not. It is the Services that must be for India, and consequently greater regard has to be paid to the financial condition of the country before you make any recommendation whatsoever. This has been completely ignored by the Lee Commission. They take shelter behind the reference : " This matter is not referred to us." If it is a one-sided inquiry like that, obviously it will not help us. Especially as it is a money matter I do not know that this is the proper place in which to have a proposition of that kind. The Lee Commission took care to exclude the question of passage money and had recourse to a strategic move. " The passage money ought not to be given as passage money. Call it Rs. 50, add it to the pay. Do not give it to him. Credit it all the while,



and whenever the officers propose to go Home, then use it as passage." The Honourable Mr. Crerar was right in pointing out in one of his references to Local Governments at page 92 ;

" On the other hand it is possible that some legal difficulties might arise in deciding whether money thus paid compulsorily into a general fund could properly be regarded as part of an officer's pay and therefore non-votable. The legal position is being examined....."

I do not know what the result of it is.

" Should the difficulties appear to be real, it might be necessary to abandon the idea of the fund."

Then what is going to be the substitute for it ? I do not know. But there it is. The Lee Commission has gone the length of suggesting a method which does not appeal to the judicial sense of the writer of this reference. I do really think that these were very wise words. If this method is adopted, who is offended ? Certainly not we, sitting as the elders in this Council who have no power to vote. It is the other House that has to vote. If anybody wants to hoodwink the Assembly and take away their jurisdiction in a certain manner over a certain item, it is they who would resent it and not we who can only correct anything that is done by them there. I do really think that this is really not the Council in which this proposition should have been brought, affecting as it does the finances of the country where we have not got power to vote money, but may have to advise Government that it would have been more proper if the Government of India had abstained from bringing up the question after they had realised the position with reference to this question once on the adjournment motion and again on the voting of the required money. I do really think that this was not the method in which this proposition should have been brought up. Not that I do not recognise that there is need to look into this proposition. I do realise it because of this fact further that in arriving at their conclusions the Lee Commission have had no material placed before them, no popular view ascertained. It may be that the people did not care to come up and give in their statements, but I know of cases in which statements had been put forward, but those who did so were not given a chance of being cross-examined, though some did try to represent the popular view in the matter. Consequently I do really think that the Lee Commission had not material before them to come to a proper conclusion. The recommendations, therefore, of the Commission are one-sided. However sympathetic we may be towards the claims made by the Services, it is not possible to agree to the recommendations being in their turn recommended to the Viceroy so that he in his turn may recommend them for acceptance to the Secretary of State. But the matter does not stop here. There is another principle which I find is violated in the recommendations. It has violated the very principle of reciprocity regarding which we passed the other day an enactment here. The Lee Commission takes no notice whatsoever of the chance of those people belonging to the Colonies that will not extend to Indians the ordinary rights of British citizenship, to go through the open door of the Civil Service, come out to India as rulers, go back laden with Indian money, and enrich their own colonies by the experience that they have gained here. Why should we allow such

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gentlemen to come into India through the Civil Service door? Could the Lee Commission make no reference to such a thing? And for them to be allowed overseas pay, for them to have passages, is adding insult to injury. Really I think they have no claim upon us. The Lee Commission therefore violates the main principle on which we are all agreed when we passed the Reciprocity Act just the other day. I do think therefore that not only is there no principle involved such as could be accepted, but there are principles violated. But let us further consider the matter. As to the case that is made out, I have tried to go through that literature as well. With the help of friends I have in my hands a statement that was supplied by the Government of Bombay on a certain interpellation put in that Council. That statement would enable Honourable Members here to see how the case stands with reference to the increment, pay and allowances. It will show that the increment that is now claimed—the first increment that was allowed in 1915-1916—for the purpose of shortening the time may, I venture to request you, Sir, to allow this to be embodied as part of my speech? That is a printed statement coming from the Government of Bombay in answer to a certain interpellation. That shows the stages at which the allowances were raised at which the pay was raised, and it will show that it was in 1915 that it was raised. Again it was raised in 1921-22, and the increase in the several stages, though approximately it might come on an average to something less than 25 per cent., in almost every case exceeded more than it was before. In the table No. 1 you find that in the 5th year,—Rs. 800,—the increase compared with 1910 was 48 per cent., in the 10th year it was 46 per cent., in the 15th year it was 16 per cent.....

THE HONOURABLE MR. J. CRERAR: Will the Honourable Member kindly explain to what Services these figures relate?

THE HONOURABLE MR. R. P. KARANDIKAR: The All-India Services.

THE HONOURABLE THE PRESIDENT: The Honourable Member cannot have incorporated into the record of his speech anything which he has not spoken. If he wishes to have any matter thus incorporated he must read it out. On the other hand, he has only three minutes left in which to conclude his speech.

THE HONOURABLE MR. R. P. KARANDIKAR: If it is economy that we have to observe in this discussion, is it not economy that has to be observed in granting compensation to the Services? We want efficient Services but I cannot reduce my country to poverty. I must say that the Services are well paid. They must also think out as to where the money is to come from. I think we are not justified in putting the recommendations into force without having studied what has been done in the past, and I do trust that Honourable Members before coming to a conclusion will go through this literature and they will find that this question of remuneration is one of long standing. I have been trying to solve the proposition. You cannot feed the fire with fuel in the hope of quenching it. You say that you want money for this thing and that thing. Then I say your wants will increase undoubtedly. Prices have come to stay for some time. It may be possible that prices may rise. How many times are you going to revise the

remuneration? Besides it strikes me as being rather inconsistent with the wisdom of the Indian Civil Service. The discussion to-day in this Council is not only limited to India. All the Services in the educated world are looking to what the Indian Civil Service are getting out of India. They are low paid in their own countries. This is the only higher paid Service we find in India. If therefore the I. C. S. succeed in getting more what will they argue? Are the Indian civil servants unmindful of their duty to cut their coat according to their cloth? Cannot the civil servants who are described in this Report as being prone to get into debt largely on account of the expenditure they have to incur, make both ends meet? When they start from their own country, do they not know what expenditure they will have to meet? If they are really deficient in this art or science, whatever it may be, who can trust these highly paid officers when they propose to administer the finances of the whole of India?

These gentlemen cannot manage their own homes and they begin to dictate to the whole of India. Does that show the wisdom which the Indian Civil servants possess or ought to possess? I really think that when they come out to India they leave their strong commonsense behind them or the atmospheric changes in India affect their conceptions of their duty by the people. Let me put a question to them.

THE HONOURABLE THE PRESIDENT: I would draw the Honourable Member's attention to the fact that his time is up and that he must wind up his remarks.

THE HONOURABLE MR. R. P. KARANDIKAR: I bow to your decision. I cannot conclude better than by putting a question to the Indian Civil servants. Without you we cannot manage. We will agree to propitiate you. In that case you will get your money from the revenue department which is a reserved subject. The agriculturists of Bombay are in a state of indebtedness which is proverbial. There was a Commission to inquire into that matter. Do you want a Commission to inquire into their straitened circumstances? Will you have your money from the agriculturists by increasing the land tax? I appeal to you, before pushing on with this Resolution, to wait.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, during the recent debate on Indian affairs initiated by Viscount Peel in the House of Lords the Secretary of State for India made a very important pronouncement to which I would invite Honourable Members' attention.

"The Secretary of State for India in Council", said Lord Olivier, "who is, as the noble Lord has pointed out, the final arbiter responsible to Parliament in regard to practically the whole field governed by this Report, must necessarily subject the Report to a thorough examination on points both of principle and detail. The mere fact that he, as stated, accepts the view that the Report must be treated as a whole cannot of course in any way absolve him from the duty of examining the Report in all its bearings or commit him in advance to the acceptance of each and every recommendation just as it stands. He must also use the occasion to determine which of the recommendations in their relation to the Report as a whole will further need priority of treatment when the time comes to implement his decisions."

Along with this pronouncement of the Secretary of State it is essential for Honourable Members to bear in mind what Viscount Chelmsford said in his

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final reply on behalf of His Majesty's Government towards the conclusion of that debate—

“ No one can doubt ”, said Lord Chelmsford, “ that there must be an examination of Lord Lee's report. He would not pretend to regard it as so inspired that we must accept it in every jot and tittle. Therefore there must be an examination on the part of the Secretary of State, the Government of India and the Provincial Governments.”

But later on in his speech Lord Chelmsford made a pronouncement which to my mind is of the utmost importance in connection with our own final conclusions on the Resolution now before the House. This is what he said :—

“ Going back to the method, the Secretary of State told your Lordships the other day that he was doing everything he possibly could to get the whole case prepared for a speedy decision as soon as he received information from India as to their attitude towards it. Time, the second problem in the matter, is dependent of course on that matter, but I think you may take it that if the procedure which the Secretary of State and I have indicated with regard to this Report is followed, no time will be lost in dealing with the Report when the essential examination has taken place.”

Three things are perfectly clear from these pronouncements which I have just read out to the House, firstly, the policy which His Majesty's Government have decided to adopt towards the Lee Commission Report, secondly the method which the Secretary of State himself intends to adopt in relation to his own determination upon those recommendations and, thirdly, that His Majesty's Government seriously intend to arrive at a speedy decision upon the recommendations made by the Royal Commission on the Imperial Services. In these circumstances, Sir, the Government of India have placed their provisional conclusions, embodied in the Resolution moved by my Honourable friend, Mr. Crerar, before this House in order to enable Honourable Members to assist the Secretary of State in arriving at what may be the correct conclusions upon the Royal Commission's recommendations. That is the attitude of the Government of India. On the other hand, what is the attitude adopted by my Honourable and learned friend ?

He asked this House to refrain from expressing any opinion upon these recommendations, but to urge upon the Secretary of State delay, postponement of his decision upon those recommendations until the Constitutional Inquiry Committee which is now holding its inquiry has made its recommendations and those recommendations have been acted upon ;— in other words, to allow India's case to go by default. That is really the position which is taken up by my Honourable and learned friend.

Sir, I am myself as ardent an advocate of constitutional advance for my country as any non-official member of the Central Legislature. In the language used on one occasion by that great patriot the late Gopal Krishna Gokhale, I want my countrymen in India to rise to that stature which other nations have attained in their own countries. Sir, if the veil of official secrecy could be lifted for a moment, Honourable Members would know what humble services I have already rendered in my official capacity to the cause of Indian Constitutional Reform. But perhaps, in this respect, it is sufficient for me to remind my Honourable and learned friend the Mover of the Resolution that 11 years ago it was under my presidency that the All-India Moslem League adopted self-government as their objective. And it is because of my love

for Constitutional advance in my country and because of my conviction that the course suggested by my Honourable and learned friend, instead of accelerating constitutional progress, is calculated to retard that progress, that I say to him in the words of the Persian poet :—

“Tarsam na rasī ba Kaaba ai Erābi

Kīn rāh to me ravi ba Turkastān ast.”

“( O, thou Erratic, I fear thou wilt not reach Ka'aba, for the path thou treadest leads to Turkestan).”

Sir, the introduction of partial responsibility in our Provincial Governments was undoubtedly the most prominent feature of the Chelmsford-Montagu Reforms. In other words, under the new constitution introduced by the Government of India Act, 1919, certain portions of our provincial administration were placed in the charge of the popular side of the Government presided over by Ministers selected from among the elected representatives of the people and responsible for the administration of those subjects to the Provincial Legislature. But the Superior Services operating even in the transferred field were, for certain reasons enunciated in the Chelmsford Montagu Report, placed for a time under the control of the Secretary of State in so far as recruitment, pay, allowances and so on were concerned. My Honourable and learned friend will remember that the critics of this constitution, both friendly and hostile, complained that a system, a constitution which transferred certain subjects to popular Ministers responsible for their administration to the Provincial Legislative Council, and still retained the appointment as well as the control of the superior branch of the Services operating in the transferred field in the hands of an outside authority 6,000 miles away, could never be successful. That was the criticism advanced at that time in Indian political circles. The friendly critic said that transfer in these circumstances was incomplete: the hostile critics characterized the transfer as a mere sham. This, Sir, has been the demand put forward in all political circles during the whole course of these four years— that the superior branches of these Services must be placed under the control of the Provincial Government: appointment to these Services must rest in their hands, appointment as well as control being taken away from the hands of the Secretary of State. Well, the Royal Commission on the Superior Services in India presided over by Lord Lee, now has, recommended to His Majesty's Government that appointment to and control of these Services operating in the transferred field should be taken away from the Secretary of State and placed in the hands of the Provincial Governments. But my Honourable and learned friend asks this Council to recommend to the Secretary of State: “ Oh no! It is not necessary to carry out this much-needed reform, although Indian political circles have been crying themselves hoarse in their demand for it. Better wait until the Constitutional Inquiry Committee which is now holding its inquiries has made its recommendations to the Government of India and the Government of India have come to their conclusions and those conclusions have been sent to England and the Secretary of State has reached his own decisions upon those recommendations.” Until the final decision is arrived at on that question, this popular demand which has been put forward in all Indian political circles during the whole of these four years and is now accepted by the Lee Commission and accepted by the Government of India

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should not be carried out ! Is that course of action calculated to accelerate constitutional advance in this country ? Is it not on the other hand calculated to retard constitutional advance ?

THE HONOURABLE DR. SIR D. P. SARVADHIKARY : My friend will remember the modifications. I distinctly said that so far as control, discipline and working rules are concerned, they should be entirely provincialised ; but I wanted it to be an All-India Service in the broader sense.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI : At any rate my Honourable and learned friend's amendment does not say so. That amendment in the clearest possible language says that the decision on the recommendations should be postponed until after the constitutional inquiry has been completed and action thereupon has been taken. And as regards this new aspect which my Honourable and learned friend seeks to give to his own suggestion as embodied in the amendment, I have only one observation to offer. These All-India Services operating in the various Provinces are All-India in name. No doubt recruitment to them is on an All-India basis. But once a man has been allotted to a Provincial cadre, he begins his service in that Province, he ends his service in that Province, and he retires on pension from that Province. When I was in charge of the Education Department I was approached by friends and relations of successful candidates to post them in their own Provinces. So that so far as Indian candidates are concerned, not only is there no desire on their part to be posted to Provinces other than their own, but, on the contrary, they make every effort possible after they have succeeded in the competitive examination to be posted to their own Provinces. It is all very well for my Honourable and learned friend to say that Indian unity is interfered with in this way. Why should Indian unity be interfered with ? The recommendations of the Lee Commission amount to this— that the recruitment and control of these Services should be placed in the hands of Provincial Governments. It will still be open to a Provincial Government if they need an expert or if they need a person with particular qualifications for a particular post from Bengal or from Madras or from other Provinces, to give him an appointment in their own Province. No doubt it would ordinarily not be open to my friends from Bengal, for instance, to compete freely in an open competitive examination for, say, service in the Punjab ; but after all my friends from Bengal must remember that in their own Province they will have a similar monopoly and my friends from Madras will not be able to intrude into Bengal. (*The Honourable Dr. Sir Deva Prasad Sarvadhikary* :—“ I do not grudge them.)

Well, Sir, I shall leave this question of provincialisation for a moment. The next demand of which we have been hearing so much and for so many years is the greater Indianisation of our All-India Services. If the literature which has been written and spoken upon this demand in the press and from public platforms, not by moderates, not by radicals, but by members of all schools of thought in India, were to be collected, I do not know if the volumes would not amount to something like half the Imperial Library of the Government of India. The Lee Commission's recommendations seek to satisfy that demand. My Honourable friend, Mr. Crerar has already given to the House facts and figures

to show the liberal extent to which the recommendations of the Lee Commission go in this respect. But I would like to give one or two figures myself, comparative figures to show what is the extent of the advance as compared with the present position. At present, according to the decision arrived at in 1919, Indian recruitment in the Indian Civil Service amounts to 37½ per cent. The Commission's Report recommends that henceforward recruitment shall be in the proportion of 60 Indians to 40 Europeans. In the Indian Police Service, according to the existing rule, 33 per cent. in all provinces, except in the North-west Frontier Province where it is 10 per cent. and Burma where it is 22 per cent., of Indians are recruited. The Lee Commission recommend that henceforward recruitment shall be half and half; that is to say, 50 per cent. Indians shall be recruited for this Service. In the Indian Forest Service the present recruitment is 40 per cent. in all the Provinces and in Burma it is 35 per cent. The Lee Commission recommend that in future the Indian recruitment shall be 75 per cent. of the entire strength. As regards the Indian Service of Engineers the Lee Commission recommend that so far as the Roads and Buildings branch of that Service is concerned recruitment in future shall be left entirely in the hands of the Provincial Governments. Similarly, in the case of the Indian Agricultural Service, the Indian Educational Service, the Indian Veterinary Service—so that it will be for the Provincial Governments to fix what percentage of Europeans they will recruit for these Services, the entire control being vested in their hands. Well, Sir, the difference between the existing position and that recommended by the Lee Commission is undoubtedly a satisfactory advance in so far as the Indianisation of Superior Services in India is concerned. "But," says my Honourable and learned friend, "Oh, no. We do not want any of this greater Indianisation of our public services now; we must wait until the constitutional inquiry is completed."

Sir, it is a disputable point upon which even the highest authorities have differed whether administrative advance should precede constitutional advance or *vice versa*. Indeed, to my mind administrative capacity and experience are the corner stone of the constitutional edifice. A nation which is not prepared by training and by experience to run its public services in the most efficient manner for the good of the people is to my mind not fit for constitutional responsibility. At any rate it must be plain to all sensible people that the two administrative and constitutional advance—must proceed simultaneously side by side. That being so, we had administrative advance, embodied in the Report of the Islington Commission carried into effect in 1919. We had the step onward in constitutional advance embodied in the Montagu-Chelmsford Report carried into effect two years later in 1921. We have now a further administrative advance embodied in the Lee Commission's Report before us. We ought, this House ought, to earnestly request the Secretary of State to carry into effect the proposals now before us as soon as possible in order to pave the way for the next constitutional advance which may result from the inquiries of the constitutional Committee to which my Honourable and learned friend has referred in his amendment. It is thus, step by step, stage by stage, that both administrative and constitutional advance will go on apace, and India will at the appointed time attain to full responsible government. Instead of adopting this course, I am surprised that a far-sighted and experienced

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politician like my Honourable and learned friend, Sir Deva Prasad Sarvadhikary, should advocate, to my mind, a retrograde step, which is calculated to retard rather than accelerate constitutional advance in this country.

Sir, there is another feature of this Lee Commission's Report to which I would like to invite the attention of the House. For years past, even in the old days before the introduction of the Montagu-Chelmsford reforms, the central Legislature has always been demanding the creation of a Civil Medical Service in this country to look after the medical needs of the population. At last, after years of agitation, now, as a result of the Lee Commission's Report, we have the prospect of a beginning of that Civil Medical Service which we have always been asking for and looking forward to. My Honourable and learned friend and his supporters say: "No, no, the needs of the people regarding the necessity for the creation of a Civil Medical Service should be ignored for the moment. Wait, wait, until the Constitutional Inquiry Committee has concluded its inquiry and until a decision has been arrived at". Well, Sir, I confess as an Indian and in consequence as a sincere well-wisher of constitutional advance in the country, I for one am unable to understand the process of reasoning which has resulted in the adoption of this attitude on the part of my Honourable friend.

Then, I pass on to the question of relief to the Services. My Honourable friend himself has admitted the necessity of giving relief where relief is needed, and therefore I need not dwell on that point at any length. But there is one observation which I would like to make in that connection, and it is this. It has been said in another place that the members of our Services should recognise that they are no longer the "*ma-bap*" of the people, but that in the new conditions introduced as a result of the famous declaration of the 20th August 1917, now embodied by the British Parliament in the Preamble to the Act of 1919, they must look upon themselves as the "*bhai-bhain*" of the people. With that sentiment I myself am in entire accord. But that sentiment, or rather that proposition connotes as a necessary corollary another proposition which I want to put before the House and that is this. It follows necessarily that we ourselves also should look upon the members of our Services as our "*bhais*" real brothers, not step-brothers to be ignored whenever they put forward any reasonable demands for concessions or for alleviation of conditions which they find very difficult to face. I do hope that this House will look upon the recommendations embodied in the Lee Commission's Report and accepted by the Government of India as those which the necessities of the situation call for, and will therefore adopt the Resolution moved by my Honourable friend Mr. Crerar and reject the amendment put forward by my Honourable and learned friend. Indeed, if I may venture to say so, the interest of constitutional advance which my Honourable friend and I have equally at heart necessitates the adoption of the measures which have been recommended by the Lee Commission. The provincialisation of the All-India Services operating in the transferred field is in itself a step forward towards that constitutional aim which he and I have in view—the ultimate attainment of full responsible government in the country. As further subjects are transferred the same principle will continue to apply to the Services operating in the widening field of transferred subjects until a stage is reached



when provinces will have full responsible government if this process of advancement towards the ultimate goal is to be delayed. I am sure advance towards responsible government will be retarded rather than accelerated, and it is on that ground that I appeal to the Honourable Members of this House to accept the Resolution put forward on behalf of the Government of India and to reject the amendment moved by my Honourable and learned friend.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at Fifteen Minutes to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE THE PRESIDENT: The Council will now proceed with the discussion of the amendment. Does any Honourable Member wish to support the amendment?

(The Honourable Mr. G. A. Natesan stood up).

Does the Honourable Member wish to speak in support of the amendment?

THE HONOURABLE MR. G. A. NATESAN: I wish to speak against the proposition.

THE HONOURABLE THE PRESIDENT: Does the Honourable Member wish to speak in support of the amendment?

THE HONOURABLE MR. G. A. NATESAN: Not exactly.

THE HONOURABLE MR. S. VEDAMURTI (Burma: General). Sir, I dare say the House has listened with great interest to the eloquent speech made by the Honourable Sir Mian Muhammad Shafi, the Leader of the House. He has told us that he is as eager for constitutional advance as any of us, and that there is nothing in the Report of the Lee Commission that can in any way be interpreted to be against such an advance. Let me join issue with him. One of my first objections to the adoption of the recommendations of the Lee Commission is that it is intended, consciously or unconsciously, to delay the advance of constitutional reforms for which the country has been clamouring. This is borne out, Sir, by the fact that, in the terms of reference, apart from the mention of the declared policy of Parliament in respect of "the increasing association of Indians in every branch of the administration," there is not a word about the more vital part of the Preamble of the Government of India Act of 1919, which is the "gradual development of self-governing institutions with a view to the realisation of responsible government." I am not one of those who are referred to by the Honourable Mr. Crerar as accusing the Commission of not dealing with the constitutional issue. But that significant omission is in the terms of reference to the Commission, and it has justly aroused the fears in our minds that constitutional advance will receive a setback by the adoption of their recommendations. Again, Sir, even when the Commission refers to the "new policy directed towards the progressive realisation of responsible government" as one of the factors in the situation, the Commission has in despair left the question unsolved, for the Report says on page 5 that—

"It was, however, impossible to produce a scheme which would fit the new circumstances without a complete re-examination of the problem."

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At any rate, the questions that are answered in their own way by the Commission, whether the reduction of the European element will be practicable within the next 20 years; whether the Services operating on the reserved side should continue to be members of an All-India Service, their appointment and control to continue to be vested in the Secretary of State; whether a guarantee should be given not only to the existing members of the Service but also to future entrants in those Services as long as those departments continue to be reserved; whether in case such transfers from the reserved to the transferred side take place within the course of 15 years the guarantee should not continue in the case of pay, allowances and pension; whether Parliament should not guarantee the pensions of the members of these Services in the case of future constitutional development in India; whether the grants in respect of certain Central Services and certain officers of the All-India Services should not be made a non-votable item, thus depriving the Assembly of its legitimate right—the answers given to these questions by the Commission go to prove that the pace of responsible government will be slower than what we demand. The justification for our fears comes from unexpected quarters. The Government of Bihar and Orissa in their reply to the Government of India circular say on page 28 of the correspondence :—

“ When the transfer of a subject takes place, it is difficult to withstand the consequence that it should be accompanied by the transfer of the service dealing with that subject. If, at some date hereafter, an attempt is made to introduce full provincial autonomy, the risks inherent in the acceptance of the principle will be real and serious, but if they are considered to be too great to be undertaken, the true remedy is the postponement of provincial autonomy, and not an attempt to restrict its actual working in a manner which would certainly engender friction, even if, given the attainment of that stage it was practical politics, which almost certainly, it would not be.”

These are my reasons for saying that the recommendations of the Lee Commission really give a set-back to constitutional advance.

So far as the control of the Superior Services is concerned, it is a matter for some satisfaction that those members whose departments are now transferred will, in future, in the case of future recruits (other than the Indian Medical Service) be placed under the charge of Local Governments, but it is said that the existing members should retain all their present rights and status. I fail to understand, if the Local Governments are expected to deal fairly and justly in the case of future entrants, why they would not deal with the existing incumbents fairly and justly as well. Again, the popular demand is that the Secretary of State's powers of appointment and control of All-India Services should cease, and that they should be delegated to the Government of India. I refrain from quoting the authority of several Ministers in the Provinces who are of opinion that the All-India Services should no more be controlled by the Secretary of State, but that the Government of India should appoint and control the members of these All-India Services. But I will quote an instance in which the Finance Member of the Government of Burma goes further than that. The Honourable Mr. W. J. Keith, the Finance Member of the Burma Government, is against the retention of any All-India Service and is in favour of recruitment throughout on a provincial basis.

The Chief Secretary to the Government of Burma says in his reply to the Government of India at page 30 :

“The Honourable the Finance Member and the two Ministers would have preferred the solution set out in their answer to the Royal Commission's Questionnaire, namely, that recruitment to the present All-India Services (whether working in the Reserved or in the transferred fields) should cease forthwith, and their duties and functions be transferred gradually to new services organised on a provincial basis for which a minimum proportion of European recruitment would be laid down by the Secretary of State, who would recruit Europeans on behalf of the Local Government, but would not control them, although their contracts would provide for an appeal to him from any order of the Local Government affecting emoluments or prospects.”

Sir, as regards Indianisation, it is claimed, and claimed rightly, that the recommendations of the Lee Commission go far towards the Indianisation of the Services, and the Honourable Sir Muhammad Shafi has consoled us by quoting certain figures, but I am prepared to contest the statement and say that the advance is more specious than real. Take, for instance, the Indian Civil Service. The Commission proposes that the proportion should be 40 per cent. European, 40 per cent. Indian directly recruited, and 20 per cent. to be obtained by promotion from the Provincial Service which will produce an equal cadre in 15 years. To a question asked by the Honourable Mr. Crerar in his Circular whether it would be reasonable to guarantee that this result would be achieved in not more than 15 years, and whether any restriction should be imposed that this result should not be attained within a shorter period than 15 years, the Local Governments are almost unanimous in saying that no guarantee should be given. One Government says that, if a particular policy is adopted, it will not be practicable to alter that ratio at some future date in favour of the European element. Another Government says that no conditions need be made regarding the attainment of equal numbers within 15 years, as this depends on contingencies which it is impossible to forecast. In my opinion, it will take a longer period than 15 years to obtain an equal cadre. In fact, it is difficult to estimate, as the Madras Government have pointed out, what ratio of recruitment would be calculated to produce this result. The Honourable Mr. Sinha, Minister in Bihar and Orissa, thinks that—

“in order to attain a proportion of 40 European, 40 Indian direct recruited, and 20 Indian, promoted, within a period of 10 or 15 years, the recruitment ratios of 21 Europeans, 53 Indians directly recruited, and 26 Indians promoted from the Provincial Service should at once be adopted.”

The Honourable Mr. Crerar himself admits at page 37 :—

“It is extremely difficult to conjecture the period within which this rate of recruitment would produce a half and half composition of the Service. A considerable number of retirements on proportionate pension would accelerate the period appreciably, and it must be borne in mind that there is a possibility that the required number of European recruits will not be forthcoming. These factors perhaps render any conjectures regarding the period at which equal numbers will be obtained of little practical value.”

**THE HONOURABLE MR. J. CRERAR :** The purport of it would be materially to reduce the period of 15 years.

**THE HONOURABLE MR. S. VEDAMURTI :** At any rate, there is a ~~business~~ **business** about the whole situation. If the recommendations of the Lee Commission thus land us in an atmosphere of uncertainty regarding Indianisation,

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is it fair to say that the Commission has advanced the cause of Indianisation to the satisfaction of the people of this country ?

Unless further European recruitment is stopped at once, there is no probability of attaining an equal cadre in the Indian Civil Service, say, even within 30 years. Unless further recruitment is stopped at once how long will it take to reduce the present strength of 1,129 British I.C.S. officers to the figure of 655 to obtain an equal cadre? The Honourable Mr. Crerar has not chosen to answer that question. The same should be the case in the case of the other Imperial Services, the Police, the Irrigation portion of the Indian Service of Engineers, and the Forest Service. if the proportion suggested by the Commission is to be attained. In view of the fact that the recommendations, if carried into effect, will retard the pace of constitutional advance ; in view of the fact that they are going to perpetuate the control of the Secretary of State over All-India Services operating in the reserved field ; and in view of the fact that the recommendations for the Indianisation of the Services could be completed only at a distant date even according to the proportions set up by the Commission, I do not want to support the main proposition, but I support the amendment that has been moved by my Honourable friend, Sir Deva Prasad Sarvadhikary.

THE HONOURABLE SIR ARTHUR FROMM : (Bombay Chamber of Commerce) : Sir, when any matter of vital and national importance to this country comes up for discussion before the Central Legislature, a debate invariably takes place in the Legislative Assembly before it is discussed in this Council. I have heard it described in some quarters that this procedure detracts from the value of the debate in this Council. I cannot, Sir, however, subscribe to that view in any way. The Council of State was primarily instituted as a revising Chamber, and it follows therefore that the procedure which I have described has of necessity, to be adopted, and it is not without its value, as the Members of this House usually have the opportunity of listening to words of wisdom, and perhaps to words of what I may describe as un-wisdom which fall from the lips of Members in the other House. Therefore the Council of State is at an advantage and when the subject comes up before it, the Council is able to exercise a restraining influence in its discussions. I had hoped that in this particular instance all the Members would have learnt some lesson from the discussion which took place in the other House and would have refrained from taking this debate into side-issues, an example of which is the amendment before the House now, which have no direct bearing on the important matter which we are called upon to discuss to-day. I listened, Sir, with interest to the soft words and calm speech with which the Honourable Sir Deva Prasad Sarvadhikary introduced his amendment. But I consider that there is a sting in that amendment. It provides for delay in the adoption of this important Resolution now before the House. The Honourable Member told us that he had no disagreement with any suggestion to improve the pay of the Services, but that he did object to the Lee Commission's Report as a whole because it introduced other matters. And what other matters did it introduce ? Did it make any suggestion of a retrograde step in Indianisation ? Does the Lee Commission's Report make any suggestion of a retrograde step in the matter of provincialisation ?

No. What does the Lee Report do, in addition to providing relief for the Services? It takes the constitution of this country another step forward and why the Honourable Sir Deva Prasad Sarvadhikary should object to that I fail to see. The Honourable the Leader of the House has brought this point very forcibly before us to-day and therefore I will not refer to it further. The Honourable Mr. Karandikar in supporting the amendment gave voice to many principles, and one of the principles on which he based his objection was want of money. I sympathise with the Honourable Member in that respect. I think too most of us Members here feel a certain amount of grief when we have got to pay for everything just about twice what we would have paid ten or twelve years ago. This equally applies to wages, and the pay of the Services. You have got to pay more for them. I want the Honourable Members of this Council to keep that clearly before them. The Resolution which has been moved by the Honourable Mr. Crerar in effect proposes to adopt the majority of the recommendations of the Royal Commission on the Superior Services in India, the chief exception being that the recommendations on the Medical Services as a whole are set on one side, and I think rightly so, for further consideration. There is also what might be considered a minor matter. The recommendations of the Commission as regards small increases in the pensions of Members of Council and of Governors of Provinces, promoted from the Services, are not being adopted by the Government of India.

It has been seen that the Report does not make any general recommendation for increases in the pensions of the Indian Civil Service, the Commission contenting itself with the reflection that the abolition of the system under which the members of the I.C.S. contributed 4 per cent. of their pay annually would in years to come provide for an extra £250 a year for those drawing a pension. The years to come will not arrive until 1944 if I understood the Honourable the Home Secretary correctly. What about the members of the I.C.S. who are about to retire shortly. I would have welcomed some suggestion in the Report that relief should be given to them in the matter of their pensions possibly taking the shape of some allowance in respect of the very large reduction in their pensions on account of income-tax in England. However the Commission after due deliberation has not thought fit to make any recommendation with regard to this matter, and I do not feel it incumbent upon me to press the point. But I do think that, presumably out of a sense of modesty or self-abnegation the Government of India have acted somewhat over sensitively in not adopting the recommendations for small increases in the pensions of those members of the I.C.S. who by sheer ability, hard work and life-long devotion to their duties have climbed to the top and occupied positions of Members of Council or of Governors of Provinces. I cannot agree in any way with the remarks published in the Report as a foot-note by one of its distinguished members. He gives as one of his reasons for dissenting from this particular and strong recommendation of the Commission that he would not like to disturb the feeling of equality and camaraderie of the Services. I do not agree with that in the slightest respect. To follow such an argument to its logical conclusion you might as well suggest that the pay of the Member of Council should be no more than that of a Collector. The Commission in making its recommendation for a higher pension for those most successful in the Service to my mind put forward a very reasonable

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proposal, but I do not think it would be becoming in me to bring forward any amendment for reasons which perhaps I need not dilate upon but which will be readily comprehended by all the Members of this Council. I think though it would be a befitting and gracious act on the part of one of my Indian friends in this Council to bring forward such an amendment and to suggest that paragraph 68 of the Report should be given effect to. I would welcome such an amendment and give it my cordial support. One word more on this subject and that is the cost. The cost would be very small. Its immediate effect works out to about £1,200 a year, and its effect when fully felt would not, I believe, exceed something like a sum of 1½ and 2 lakhs a year.

Sir, I will now refer briefly to the Indianisation which is provided for at a steady rate in the Lee Report. It will be seen that the Indianisation suggested far exceeds the proposals of the Montagu-Chelmsford report of only a few years ago, and yet some Members of the Legislature are not satisfied. The figures given to this Council by the Honourable the Home Secretary I confess astounded me. I will not go into them in detail.

The Honourable the Leader of the House has already referred to them and a careful study of them will show that the progress of Indianisation is not slow, and in the opinion of many, if not of most, of the Members of this Council it is as rapid as should be adopted with due regard to the safe, efficient and satisfactory administration of this great country.

Sir, having dealt briefly with the progress of Indianisation, I now come to the all important question of the retention of the British element, and I think it will be agreed by all of us here that a proportion of British in the All-India Services will be necessary for many years to come. In voicing these views I feel sure that the Honourable Members of this Council will recognise that I have no intention nor that there is any suggestion on my part to cast any reflection on the ability and capability of Indians, and here I speak with confidence, coming as I do from Bombay where perhaps Indians and Europeans are in closer touch than in any other part of India. We work there together freely and unrestrainedly in business and in many other walks of life, and I feel sure that I shall have the support of my fellow Councillors from Bombay,—I am glad to see one has recently arrived,—in stating that mutual respect in many undertakings is most marked and the results of their collaboration have met with great success. I see no reason why a similar state of things should not obtain in the Services and why the combination of the intellectual powers of the Indian and the European should not continue to bring forth the very best results for the happiness and welfare of the many millions in this country whom they are called upon to govern and to assist with their advice. Sir, the British bring to this country, by virtue of their education and training from their boyhood, a high standard of efficiency and integrity. This high standard is welcomed and adopted also by the Indian official. However, at present, this high standard emanates from the British, it is the backbone of the Service and I for one would deprecate that backbone being removed.

Sir, as I have already said, I am sincerely convinced that the Members of this Council approved of the retention of the British element in the All-India Services. It therefore remains to consider how the retention of that

element can best be effected. It is obviously desirable—nay, necessary—that the British lads who come out to this country should be the best that Britain can produce and to continue to be picked men. Unfortunately it has been borne in upon us in recent years that, unless the Services are made more attractive, we shall not find British candidates coming forward possessed of those qualifications. And here I will refer briefly to the speech made by my Honourable friend behind me. He suggested why should you pay them more? Are you getting the right men? Yes, up to date. Are the right men likely to come forward? No. If you do not make your Service more attractive, what will happen? If you do not have innumerable more candidates for the vacant places, whom will you get? You will get the wasters coming out. Have you hitherto had wasters coming out? No; you have had the highest and best that Britain can produce.

To continue, Sir, to my mind the recommendations of the Royal Commission are the very least in the way of improving the Services which can have the effect of attracting the right man to India. I hold strongly to the view that the Resolution before us should be adopted without any petty cheese-paring and without the adoption of any inconsequential and non-constructive amendments.

Sir, from what I gathered when listening to the debate in this matter in the other House and from reading the report of it in the papers, I have come to the conclusion that the chief objection to the adoption of the Report emanates from the fact that the Royal Commission was appointed against the wishes of the Legislature. Let me, however, remind Honourable Members of this Council that the grievances of the All-India Services were real, have been real and have not been fanciful. The Services have waited patiently for some amelioration in their lot for many years, and to my mind the action of His Majesty the King in appointing a Royal Commission was in no way too precipitate. It must be remembered that after all the responsibility for the government of this country remains with the Government at Home, and when steps are taken, none too soon, to alleviate the disabilities under which the All-India Services in this country have been suffering, I cannot see that the action is in any way one to cavil at. I listened with regret to the Honourable Mover of the amendment when he proposed that it was not desirable to give effect to the recommendations of the Lee Commission pending the inquiries about Reforms. I believe that a somewhat similar enunciation was made in the other place, and I was much grieved to find that an amendment to that effect had been brought forward before this Council. What have the individual members of the Services to do with legislation affecting the Constitution? And why should their individual difficulties remain unsolved pending the results of the inquiry of the Reforms Committee? In lower walks of life when individuals are dissatisfied with their pay they go on strike and thus bring before their employers their grievances, and if their grievances are just they are readily remedied. Would anybody suggest that the All-India Services should take action of this sort? Men in the Services have had to wait year after year in the hope that some relief would be found for their financial embarrassment.

Sir, I support whole-heartedly the Resolution brought forward by the Honourable the Home Secretary. I condemn as ungenerous in the extreme

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and wholly to be deplored, the view of any one who proposes to use the granting of financial relief to the Services as a lever for further amendments in the Constitution. Sir, I appeal to Honourable Members of this Council to refrain further from dragging in politics where politics are not required. I appeal to Members of this Council as man to man to rise to the occasion and to show to the people of India and England that this Council is ready to give relief to the Services—relief for which the Services have appealed for so many years in vain.

THE HONOURABLE MR. G. A. NATESAN (Madras: Nominated Non-official): Sir, I felt very happy and very proud indeed at the tenour of the speech which was delivered by the Honourable Mr. Crerar in placing his Resolution before the House; but I regret the remarks made by the Honourable Sir Arthur Froom who has just sat down. I have always thought that questions of this description should be discussed in no other spirit but one of goodwill, and I hope I shall practise the utmost self-restraint in giving expression to certain views which perhaps will not appeal to my Honourable friend Sir Arthur Froom and others who might think like him.

It is to me a regrettable circumstance that the Report of the Lee Commission should be forced more or less upon the Legislature at this time—particularly when after the introduction of the Montagu-Chelmsford Report sums amounting to a crore of rupees have already been given to remedy the grievances of the Civil Service. It is also, Sir, a circumstance to be regretted that after the Report of the Retrenchment Committee which proposed a reduction of over 5 crores this question should come up before us. It is equally unfortunate that this discussion should take place at a time when the Reforms Inquiry Committee is going on, when Minister after Minister has given evidence that the manner in which dyarchy is being worked is unsatisfactory, that the difference between transferred and reserved subjects should be done away with, and it is high time that provincial autonomy was given to the Provinces. My Honourable friend Sir Arthur Froom asked what has this proposal to give relief to the Services to do with constitutional development? I tell him in all sincerity and earnestness that it has a great deal to do with it. I give my word, and I speak with authority, that not only my countrymen here but elsewhere would undoubtedly be prepared to give relief to the Services if you brought it up as a separate recommendation and presented it to this House clause by clause. It was a demand made elsewhere. It was a demand made in several parts of this country in the course of public discussions in journals and at meetings. I hope the Honourable Sir Arthur Froom has read the whole of this Report carefully. The proposals are interdependent and are inextricably bound up. The Commission itself says so, and says very clearly, that you cannot separate one part from another without doing violence to the manner in which the whole thing has been constructed. And if to-day I am here to say that I regret I cannot support this proposition, it is not because I or any of my countrymen who share my views are ungenerous (as the Honourable Sir Arthur Froom seems to think) and unwilling to give relief which the Services need. I do not believe anybody in this country would be so base or mean as to stand the aspersion which my Honourable friend Sir Arthur Froom has cast upon them.



Sir, I cannot give my consent to this Resolution as it is framed and presented to this House because in my opinion it undoubtedly perpetuates an anomalous system. When at the time of the Montagu-Chelmsford Act many of my countrymen, particularly the Liberal Party to which I have the honour to belong, agreed to a condition that the appointment and control of the Services and their discipline and future should be in the hands of the Secretary of State, many people agreed to it reluctantly ; but since then the opinion has been publicly expressed that it was an unfortunate thing. There is not a politician of note in India who does not now say that that system should cease. It is an anomaly, Sir. I say at once that it does great credit to their sense of loyalty and sense of discipline and their devotion to duty that the Civil Service should obey the Government of India, though they are always looking forward to the Secretary of State for India as the ultimate authority. But can any one point out to me any country in the world where this system of appointment and control of services is in the hands of an outside authority six thousand miles away ? Even if there were any, I shall be unable to give my vote to this proposition as it is.

I should like to point out, Sir, that I quite agree that the Commission's proposals for Indianisation are certainly in advance of the present state of affairs. But without going into details I must say that there are many who think that Indianisation could not be effected even to the extent of fifty per cent. on the calculations arrived at by the Lee Commission ; and by the way may I say here that we have not the evidence of the Lee Commission before us ? We have none of the data which they had to come to a conclusion. We are simply told that, according to the scale they have proposed for Indianisation, 50% would be reached in 15 years in the case of the Civil Service. My Honourable friend, Sir Arthur Froom and others who talk about rapid Indianisation, do not seem to be acquainted with the real Indian view on this question. It is not a mere question of power and pelf and petty attempts to get offices. It is a question of trying to see as far as possible that the people of this country have their proper share in the administration and that the Services are under the direct control of the Central Legislature, with His Excellency the Viceroy at the head, as at present. I feel honestly that if the proposals of the Lee Commission are given effect to, it will add to the difficulties which are already bad enough in all conscience. It is clear--and the whole Report of the Lee Commission bears witness to the fact--that these proposals are made because there is a great deal of distrust and suspicion and a cloud of uneasiness hanging over some members of the present Services and haunting those young men who wish to come here. Now, I think in all fairness it is not a bad proposition to state: "Do not bring more young men into this country. Stop recruitment for some time. It is not fair to these young men that they should be brought into an atmosphere which as you say is already surcharged with suspicion and distrust."

I also wish to point out that this proposal to stop recruitment is nothing strange. It is the opinion of our distinguished friend, the Right Honourable Srinivasa Sastri, who cannot be accused of taking an ultra-radical view. It is also the view of Sir Sivaswamy Aiyer and of Sir Chimanlal Setalvad, two gentlemen who held the office of Member of the Executive Councils in their respective Provinces and whose moderation in politics is undoubted. It is

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also the view of a gentleman who was till lately a Minister, Mr. Chintamani ; it is also the view of one who adorned the place of Member in the Viceroy's Executive Council till recently, about whose services to the State a Gazette Extraordinary was issued. I refer to the opinion of Sir Tej Bahadur Sapru. It is also on record that the National Liberal Federation consisting mostly of moderate politicians have said that it is desirable to stop recruitment. May I say, speaking for the Province from which I come, that the combined Madras Government have deliberately stated as their opinion that recruitment should be stopped ? I may say, in fairness, that their conclusion is arrived at perhaps for a different reason from the one which I give. It is also the view of the Ministers in Assam ; it is the view of the Honourable Raja of Mahmudabad, a distinguished Muhammadan nobleman who had taken an active part in the political life of the country and who is now an official. It is also the view of the minority in the Bombay Executive Council.

Further, I wish to draw the attention of the House to the fact that the recommendations of the Lee Commission have been disapproved by a majority of the Provincial Legislatures ; they have been disapproved by Madras, by the United Provinces, by Assam, by Bihar and Orissa and by Burma—I speak subject to correction. If in spite of all this, having regard to the fact that the recommendations are so inextricably bound up, that we are told that if you detach one you are more or less doing violence to the spirit of the whole recommendation, if in spite of all this, you still ask me to vote for a proposition which means perpetuating the existing system of recruitment and control and the vesting of authority in an outside individual who is six thousand miles away, a proposition which by bringing in new men in the present circumstances is calculated to add to the tension of feeling which at the present moment exists in this country, I say you have no right to do so. If you ask me to do all this, if you accuse me of being wanting in loyalty and magnanimity and charity, I only wish to turn to you and say that you are asking “ me, an Indian, to mortgage the future political destinies of his country ”.

I turn now from this to a consideration of the financial position—the suggested increase of pay, passage and pensions. Allow me to state in all sincerity that I have had to study a great deal of literature about the Civil Services. I have had to study it very carefully when I had the honour of being called upon to give evidence by the Madras Government before the Islington Commission. In my own professional career as a journalist and publisher I have had to study the pronouncements of not one or two but of many distinguished Indians who have helped to make this nation better than it was and some of whom are still with us. Allow me also to state that for several years as a member of the Madras Corporation which has always been presided over by civilians, and in my capacity as member of several committees, in which I have served along with civilians I have had opportunities to watch their work. Let me state unhesitatingly without any reserve that I have always been struck by their high standard of duty, by their integrity and sense of discipline and their willingness to adapt themselves to altered circumstances. All this I grant. But when I say all this allow me to state

also that in the opinion of many of my countrymen, an opinion which was supported by the Honourable Sir Basil Blackett the other day, the Civil Service is a highly paid Service. It is a very unique Service, unique in character, unique in policy, unique in its unparalleled devotion to duty but unique also in the very high scale of salaries which its members get as compared with Services in other parts of the world. Let me also state that it is not a view which I am propounding for the first time. I am one of those who have publicly and privately protested against the attempts made by the Ministers, many of them Moderates, who insisted upon getting equal salaries with Executive Councillors. Let me tell my Honourable friend, Sir Arthur Froom, that the view I have consistently held is that Indian Ministers, once they got the right of equal status with Members of the Executive Council, had no right to demand the same salary; because from the time of the venerable Dadabhoy Naoroji, we have always said that our services were costly, that India is poor and cannot afford to pay such high salaries; and I am proud to say after sticking to a very unfortunate point of view for sometime that some Ministers in the Provinces have practically agreed to take less pay than before. •

**THE HONOURABLE SIR ARTHUR FROOM:** I never drew any comparison between the salaries of Ministers and the salaries of Members of the Executive Council.

**THE HONOURABLE MR. G. A. NATESAN:** My point is to show that when all is said and done the salaries here are fairly high now and they should not be increased without regard to the actual condition of Indian finances and that it is a view which I am not holding now after the presentation of the Lee Commission Report but long before I saw the Report. Long before this Report I and some of my friends have been protesting that Indian Ministers ought not to get the same salaries as Executive Council Members, and for nearly half a century we have been saying that the salaries are high.

Sir, to sum up the popular view, I quote some extracts here :

“The Indian Civil Service and all the cognate services are very highly paid.”

“Old times have changed, and the time is come when the salaries should be revised with reference to the market rate prevailing all over the world.”

“There should be no more agreements and covenants. These covenants are most burdensome; they bring in their train costly furlough allowances, pensions, and a lot of other charges. All these must be abolished.”

“India wants efficient but less costly service from any place in the world.”

“If impartially considered, the Government of India ought to pay no heed to the recommendations made by the Public Service Commission, that about a crore of rupees at this juncture should be added to the burdens of the tax-payers.”

Sir, these observations were made seven years ago, in 1917, at the time a Resolution was moved in the Viceroy's Legislative Council by Pandit Madan Mohan Malaviya, and I believe the Honourable Mr. Sastri also took part in the discussion. Since then one crore has been added to the salaries of the All-India Services. There is not a nobler friend of British rule, nor a truer or warmer admirer of British character than the Honourable Sir Dinshaw Wacha, or one who is more in favour of law and order. These extracts are from a speech delivered by him, whose collected speeches it has been the privilege of my firm to publish. I admit since then certain difficulties have arisen. But

[Mr. G. A. Natesan.]

et me state that in any attempt to ask us to agree to an increase of pay, pensions, passages, etc., your claims to relief are sternly limited by the low condition of our finances. The Honourable the Finance Secretary has often told us that the present condition of Indian finance is not sound. (*The Honourable Mr. A. C. McWatters* : I don't think I said that). I will put it another way. We are in the circumstances in which extraordinary difficulty has been felt in making both ends of our Budget meet.

Now, I come again to the question of calculation. It has been estimated that the cost is about one and one-fourth crores, with regard to pay, pensions and other things, and kindly remember that this is limited to the All-India Services. But what about the others? We had an authoritative statement from Sir Basil Blackett that already there is a proposal for increase of pay for Army officers. Could this House appear to treat one set of Services one way and another set of Services in another way? What is to become of European officials in the Railway services when you take over the G. I. P. and E. I. Railways? And may I ask if you have included the cost of special medical attendance which is one of the suggestions made by the Commission? Have you included also the cost of house rent allowances which have been proposed? May I ask further how would these new proposals affect the Budget for next year?

Despite all this, let me state that I am prepared, speaking for myself and I am sure there are others who will agree with me, if you put a proposition simply and purely by itself which says that we should vote something for the relief of these Services we are prepared to vote for the same. As I said I have been on terms of intimate friendship with several Civilians. I am bound to say that I think the grievance is not universal. It is true of some Civilians who have their boys and girls to educate in England and who find it difficult to make both ends meet. Therefore, give an opportunity to me and to others who are similarly situated to consider that in order that we may vote upon the proposals separately and give relief to existing members of the Service only who are hard hit. But do not put a set of Resolutions tagged together and tell me that if you do violence to this part you will nullify the whole thing, and that the whole structure would go to pieces. Sir, it is not fair to myself nor to the Civil Services who have very naturally the right to expect relief. I am glad that already the Honourable the Home Member has said elsewhere and my Honourable friend, Mr. Crerar said here, that in the case of officials drawing a salary of over Rs. 3,000 you would not give increased salaries. That only shows that even in these recommendations you can do violence to one portion without nullifying the rest. I have no doubt as to the result of this debate here and also of the voting. But I do ask in all earnestness, just as the Government of India have very carefully scrutinised these proposals—and I find at least one of these proposals could not be put before the Assembly and its support or the support of the people of India asked for it, they ought to scrutinise again every other proposal despite the fact that these proposals *en bloc* may be carried in this House. May I also point out that it has been the pride and the very just pride of the Civil Service—that the Civil Service here are the trustees of the people of India. I ask you and I appeal to you—I will not

be silly or adopt the tone of a non-official member of the European mercantile community, who said elsewhere that they would withdraw all support from Government—and that they will cause them trouble if all these proposals are not carried *en bloc*—I venture to adopt the more humble tone of a loyal citizen and to ask you to remember that you are the trustees of the people of India, and to remember the responsibilities and solemn obligations which trusteeship inevitably carries with it in every part of the world.

THE HONOURABLE SIRDAR CHARANJIT SINGH (Punjab : Nominated Non-official): Sir, I rise to oppose the amendment of my Honourable and learned friend, Sir Deva Prasad Sarvadhikary. I really do not think any case has been made out for the amendment. As the Honourable the Leader of the House has pointed out, the decision rests entirely with His Majesty's Secretary of State, and it would be to the advantage of the House to lay before him its views before the final decision is arrived at. We would be, I think, failing in our duty if we did not take advantage of the opportunity afforded to us of expressing our views. As regards the Commission, Sir, everyone who has got a grievance has a right to be heard by the Government and if his grievance is found to be correct to have it redressed. Is there any reason why the Services alone should have been treated differently. Why they should have been made an exception to the rule, or why they alone should not have been given a hearing? It was only right and proper that a Commission should have been appointed to inquire into their grievances which had been pouring in for the last several years and to submit a considered Report. As far as I am able to gather, there are three objections which have been raised against the Report. One is that the proportion of Indians is insufficient, the second is that it will considerably increase expenditure, and the third is that it will be a hindrance in the way of constitutional advance. Regarding Indianisation, we find with regard to some of the Services that the Lee Report, which has been drawn up after the examination of a large number of witnesses, both Indian and English, has actually recommended 75 per cent., while in regard to one it has recommended 60 per cent. and in regard to two 50 per cent. Therefore, in view of the considered and unanimous opinion of the Commission and of the Government of India, would we be justified in withholding our assent?

On the other hand, is not the proposal reasonable, particularly in view of the circumstances which are unfortunately prevailing in India just now? In this connection it is worth remembering that this proportion is not for all time. There is no reason why in future and under more favourable circumstances the proportion may not be increased. But, as I have said, we would be well advised to accept it under the present circumstances. As regards the second objection, we all know that the cost of living has undoubtedly risen and unfortunately the value of the rupee has gone down. The pay of the provincial and of the subordinate services was raised not long ago by about 10 crores for this very reason. What justification can there be for not treating the Superior Services in the same way and for not meeting their just demands? Are they, of all people, not affected by the increased cost of living? The present pay and allowances were fixed when the prices were not so high and when the value of the rupee was not so low. Unless you raise the pay, it would be difficult to get suitable men to come here and join the Services. I know for a fact that the

[Sirdar Charanjit Singh.]

tendency of late has been to go to the Colonies rather than come out to India. As for those who are already here, they would be working for the rest of their term under a grievance. Can any one reasonably expect the Government to carry on their work of administration satisfactorily under such circumstances? The present case is one of those which must be faced and the more cheerfully we face it, the more graceful it would be. Besides, it is worth remembering that according to the Report, the cost of the Civil Service and the Police eventually would come down from 428 to 381 lakhs. So, in this respect also, India would not be a loser in the long run. I have just explained that the proposed increase is absolutely essential for the contentment of the Services and consequently for the purposes of good government. How can it be postponed till the next constitutional advance? How is the administration to be carried on satisfactorily in the meanwhile? Postponement can only be achieved at the cost of good administration. Would such a state of affairs help us in the realisation of the advance we all look forward to? Would it not, as I think it would, go against us? A Government run by undermanned and discontented services would not conduce to the happiness of the people, and, consequently, would set back the clock and instead of making an advance, would simply retard it. Constitutional advance can only be achieved by having an efficient administration, a contented service and a happy people. Therefore, in our own interests, we should, instead of postponing this needed measure, hasten the introduction of constitutional advance by helping to increase the efficiency of the administration in every possible way. For this reason I am strongly of opinion that it would be to our advantage—it would be right and proper that we should whole-heartedly support the Resolution which has been so ably moved by my Honourable friend Mr. Crerar.

(The Honourable Saiyed Mohamed Padshan Sahib Bahadur then rose to speak).

THE HONOURABLE THE PRESIDENT: Does the Honourable Member wish to speak in support of the amendment?

THE HONOURABLE SAIYED PADSHAH SAHIB BAHADUR (Madras: Muhammadan): Yes, Sir. I feel extremely thankful to you for having permitted me to contribute my humble quota to the discussion on so important a matter which is now engaging our attention. Sir, one of my Colleagues who spoke a short while ago remarked that the fact that the Royal Commission was appointed against the wishes of the Assembly ought not be allowed to influence our decision in the matter which is now engaging our attention. Well, Sir, I agree with this view, and I am prepared to have the recommendations of the Lee Commission examined on their own merit free from all bias. Just as I would not allow the cause of the Lee Commission to suffer on account of its having been appointed in the teeth of opposition from the Assembly, I would equally refuse to give the Commission any undue weight for the sake either of its personnel or of the unanimity of its conclusions. It is really remarkable that no Commission has met with such universal disapproval as this Lee Commission, and if there is any force or cogency in the argument based upon the unanimous nature of its report, I am of opinion, Sir, that this universal chorus of disapproval which has hailed it from all quarters, from all sections and shades of

public opinion, must also be given its due and proper value. I would, therefore, Sir, brush aside all these extraneous considerations and judge the question on its own intrinsic merit. It has also been said by the same Honourable speaker that the question of constitutional advance should not be allowed to be mixed up with the Lee Commission whose recommendations mainly concern the Services. I wish, Sir, it was possible to do so. But, Sir, from the very nature of the subject it is impossible to keep these two inextricably bound-up matters in two separate water-tight compartments. Even the Lee Commission have not succeeded in steering clear of the rocks on which unhappily, as you would all recognise, their labours have ultimately been wrecked.

Now, Sir, we see from a perusal of the Report that every now and then they have themselves adverted to this constitutional question, though invariably they have been forced to drop it like a hot potato. There is yet another consideration which has got to be given its right and that is, the Lee Commission recommendations are not brought before this House merely to be examined and admired for their own sake. They have been brought before us for the express purpose of being applied to the administrative needs of India, India which nobody will deny is on the eve of a very great change in the direction of responsible government. It may be, Sir, that this stage may not be reached just now and all at once. But that is the goal which this country has at heart and to which the efforts of all and sundry, whatever their political creed or conviction, is directed.

Therefore, Sir, this organisation of the Services is only a part, and an integral part of the larger question of constitutional advance. As I am now speaking of these constitutional questions, I would, with your permission, refer to a factor which has undoubtedly to be reckoned with in connection with this subject—a factor, a circumstance which is very often flung in the face of all such demands as conclusively demonstrating the unsuitability of India for anything like responsible government—I mean the question of Hindu-Muslim relations. I would like at the outset to state that this is not, after all, a very insurmountable obstacle. Indians of all castes, creeds and communities realise that in spite of their apparent differences they have a community of interest. They realise that they are all sailing in the same boat and that they have all to sink or swim together. They have, I believe, realised, and there are unmistakable indications to that effect, that they should adopt the wiser course of swimming together through. Again, it is said in some quarters, and I think with seeming justification, that the Muslims being not quite so advanced in western education as their Hindu brethren they may not be in a position to walk abreast of their fellow-countrymen. It is true that the number of English educated Muslims among our community is not quite so large as that which the other more fortunate community can command at present. But I can say that the Muslim community in each province has a sufficient number of English educated Muslims of high attainments that may be required to take their place in the government of the country, whether in the Legislatures, or the local bodies, or in filling high administrative offices. There is yet another matter which has got to be considered in this connection. It is not merely university degrees that qualify a man for service; there are other qualifications which go to more than make up this seeming deficiency in the Muslim education. Breadth of view, patriotism, a high sense of integrity and honour, and moral stamina

[Saiyed Padshah Sahib Bahadur.]

and so forth—these are traits which nobody will deny—are the characteristics of all respectable Muslim families in this country. These are traits which, I submit, go to make one both a useful citizen and an ideal officer. Consequently, Sir, I submit that far from being frightened at the prospect of any constitutional advance we welcome it most heartily, and we are prepared to strive for it most assiduously and look forward to it most hopefully, and we feel sure that our fellow-countrymen will recognise all this and not grudge to give us our due share—a share which will not only be in keeping with its glorious traditions but will also take stock, and full stock, of the number, the character, influence, and importance of the great Muslim community. I shall not say any more on the subject as another Honourable Colleague of mine has given notice of an amendment in this connection. But I merely hinted this with a view to disarm all suspicion that is entertained in some quarters that the Muslim community is likely to act as a brake on the activities of our fellow-countrymen here.

Now, turning to the general question of constitutional advance, we see from the Report of the Commission :—

“ In the words of the authors of the Report on Indian Constitutional Reforms the success of the new policy (enunciated in the historic announcement of August 1917) ‘must very largely depend on the extent to which it is found possible to introduce Indians into every branch of the administration.’ Recognising that Indianisation must be a long and steady process, they recommended that recruitment of a largely increased proportion of Indians should be initiated without delay, if the Services are to be substantially Indian in personnel by the time that India is ripe for responsible government.”

Therefore, Sir, it is quite clear that Indianisation, substantial Indianisation of the Services is something of a *sine qua non* to the attainment of responsible government. Consequently, everything, be it the action of an individual or the proposal or recommendation of a body like the Lee Commission that concerns itself with Indian affairs must tend to help the Indians and accelerate this process of Indianisation. Let us see what the Lee Commission has accomplished in this matter. I take, for instance, the recommendations regarding some important Services. At the outset I would take the case of the Indian Civil Service and the Indian Police Service. The recommendations of the Commission seem to aim at bringing about a percentage of 50 in these two important Services by means of recruitment which would take us to that limit in one instance in 15 years and in another instance in 25 years. We have to add to this a period of something like 30 years each during which the recruits admitted during these 25 years will continue. The inference is quite obvious that even at the end of 50 years the proportion of Indians in these two important Services will not be anything more than 50, and it will generally be conceded that for the Services to be substantially Indian the proportion should be much higher. Similarly, in respect of all the other Services, I would not inflict on this House an analysis of the detailed recommendations of the Commission in this respect, but I think it is enough for me if I have dealt with a few of the Services.

Again, let us see what the Commission has done in the matter of helping provincial autonomy. Now, Sir, we all know and everybody admits that the existence of dyarchy works a very great hardship on Local Governments



and besides its ordinary incidents there are a number of other disabilities which handicap the smooth working of the transferred departments in some of the Provinces. We know, Sir, that in my Province, I hail from Madras, the Minister in charge of development is charged with the onerous duty of improving and fostering industries under his control, but he has no control over factories, labour and such things, and the same functionary is expected to explore all possible avenues of advance and utilise the national resources. Yet this functionary has no jurisdiction over forests and irrigation. This is an anomaly, against which one Minister in my Province has been protesting while both in office and out of it. What did the Commission do to rectify this unnatural state of things? We see that in the matter of helping Indianisation, in the matter of accelerating the process of provincial autonomy and also in the matter of making provisions for the better working of the reforms, the Lee Commission has disappointed all our expectations. I would lay stress on this point because Honourable Members who spoke on behalf of the Government made claims for the Lee Commission mainly on this constitutional question. So it is quite obvious that the one acid test by which the recommendations of this Commission could be judged is the way in which they have acquitted themselves in this respect, and if you are satisfied that their recommendations in this respect go to help Indians in the demand for responsible government in the way of Indianisation, and if you are satisfied with the half-hearted concessions that have been made, then you may vote for the Resolution that has been moved by Government. But if you are of opinion that all the recommendations that have been made for increasing the proportion of Indians tend ultimately to delay the process I think your way is clear and it will not be possible to give your assent to the Resolution that has been brought before us.

Before I sit down I will say just one word regarding the recommendations for the increase of pay, etc. In this respect I would only say, as most of my Honourable Colleagues have said, that the attitude adopted by the Commission is not a happy one, even though the Commission recommended their suggestions on the ground of compromise. They seem to me to have adopted a very uncompromising attitude inasmuch as they did not give any opportunity to the Legislature to come to their decision regarding the various suggestions that have been made by them and have asked them to take their recommendations in their entirety. I would wish that this demand for concessions to the Services had been presented separately to enable the Honourable Members here to try and do justice where it was really needed.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: Sir, it is with the greatest diffidence that I, a soldier, and only a very temporary member of Government, venture to address this House on this subject. I only do so because after many years' service in India, the land of my birth, I feel that I should say a word or two regarding the affection and regard which I have for India and I also feel that from the somewhat detached point of view of a soldier I may be able to speak in an unbiassed manner regarding the work done by those great Services regarding whom the Lee Commission has just reported.

I would like to begin by saying how very touched indeed I was at the welcome which I received on the first day I entered this Chamber and by the

[H. E. the Commander-in-Chief.]

receipt of a letter written by one who, I imagine, is possibly one of the oldest, certainly in years, of my fellow members, for he tells me that he has been a lawyer for 46 years. The Honourable Mr. Karandikar very kindly wrote to me, and in doing so referred to the respect and regard, indeed affection, he had had for a member of the Bombay Civil Service who served for 40 years in that Presidency, a name, he told me, which was still after many years a household word. That civil servant was my father and I only mention the fact to show the traditions in which I have been brought up, traditions which have been with me from the date of my birth down in the Mahratta country. And with those traditions it is surely only natural that I should be very jealous of the good name of India and anxious to do all I can to help her and her people. As regards the Lee Commission Report, the only point which really affects me personally, as Member in charge of the Army Department, is that in connection with the Medical Service. These have been already fully explained by my Honourable and learned friend Sir Narasimha Sarma in another place, while in another place details were given regarding the effect on the military Medical Services. I think it will probably be patent to all that the recommendations, as far as the military portion of the medical service was concerned, was really beyond the terms of the Royal Commission. The Government of India have therefore decided to put them entirely aside for the present, and not to consider them in connection with the remainder of the Lee Commission Report. I can only assure all Honourable Members of this House that if they have any recommendations to make regarding this subject these will receive the full consideration of Government. Sir, it has been recognised by all civilised Governments that it is essential to keep up a war reserve for medical service, and it has also been recognised that that war reserve must be taken from the ranks of civil practitioners. The actual form of that war reserve has not yet been decided.

Talking about the medical service, I am rather reminded of a passage in a despatch I happened to come across the other day. It was a despatch of the Government of India on the termination of our first expedition to Burma in 1811. That despatch finished up with the curious and cryptic sentence "though there were 38 doctors yet there were only 20 deaths." It rather struck me that the Government of the day took strong exception to the fact that the troops had not consented to die in proportion to the number of medical officers with the expedition. When I listened to a speech in another place I could not help thinking that possibly one of the Members was actuated by the same feelings and that he resented the fact that a very large number of beds in both our British and Indian hospitals were untenanted. I may mention, incidentally, that the number of these beds is being greatly reduced. But it seemed possible that this Honourable Member would have been content had all these beds been full. Surely those empty beds are the very greatest tribute that can possibly be paid to the efficiency of our medical service. Sir, I expect that many Honourable Members of this Council took the opportunity, as I did, of attending in another place last week and listening to the words of wisdom which we then heard. I heard a reference in moving terms to the disappointment felt by a hypothetical gentleman who had hoped for a ride on a magnificent and high spirited horse, only to find that he was sitting

on a hollow wooden horse and moreover fastened down by a steel frame work. I should have felt sorry for his disappointment but for the fact that a story happened to come to my mind, which an Irish friend told me about an uncle of his. Passing through the streets of Dublin he saw an advertisement offering a reward of £5 to anyone who could sit on a certain mechanical horse for five minutes. The uncle was at once persuaded to try his luck on that mechanical horse. Being the rider he was, he sat the horse with success for four minutes, but as the story was told to me, during the last minute the horse began to buck, bound, plunge and kick with terrible results—(I am sorry I cannot vouch for the truth of this story) ; but as told me the result was so appalling in the very last minute that in the words of the narrator, “the horse kicked himself inside out, and I have never seen my uncle since !”

Well, Sir, when I thought of that I could not help thinking to myself how extraordinarily fortunate was the gentleman we heard of in the other place, who was still comfortably seated on his wooden horse, thanks to that honest steel frame, which kept him in his place, till he had learnt to have a really firm seat in the saddle and be able to ride by himself. I trust the people of India will never forget or despise that framework which has done so much for them in past generations.

But, Sir, listening to some of those speeches, I wondered whether I was in a dream when I heard an Honourable Member contrasting what he described as the present poverty and misery of this country compared to the prosperity, happiness and well-being in times gone by before men of the British race came out here to help in carrying on the government of this country. In my mind's eye, I could see hordes of Afghans and Mongols sweeping down in their invasions over the North-West Frontier, leaving behind them devastated cities and whole tribes of people wiped off from the face of the earth. I saw before me Nadir Shah the Persian sacking Delhi, and that the beautiful city being given over to murder and rapine and plunder for days. I could see the armies of the Mahrattas—of the Peshawa, of Scindia, Bhonsla and Holkar, followed by swarms of Pindaris, sweeping over India and sparing none. I saw before me the gaunt spectres of famine and pestilence sweeping through the country with no hand to stay their progress. You have only to march, as I have done, through Central India, Rajputana, the Deccan and elsewhere to come across what were evidently once magnificent cities but are now in decay and ruin—because either they were overthrown by a merciless enemy or destroyed by the ruthless ravages of pestilence and famine which swept through them when no one was willing or able to give a helping hand. And when one comes to think of that and compare it with the present state of affairs one realises how extraordinarily easy it must be for one who has no knowledge of the past, to have his point of perspective obliterated and his sense of proportion entirely gone. But, Sir, when I heard the dangers, poverty and misery of those days contrasted as happy with the present, I really wondered whether the speaker meant all he said. Think of the present state of things in comparison to that which I have just described. Think of India covered from north to south and east to west with her lines of railways, her telegraphs, her roads and life-giving canals. Let us realise how during the last 60 years every one has been able to go about in perfect safety and security

[H. E. The Commander-in-Chief.]

how everyone who wishes to sow his fields can do so in the certainty that he will reap them in due course. Let us realise that traders have been able to carry on their business with safety; hospitals have been established, education has been spread and famines have been provided for and their effects minimised as far as they humanly can be. And, Sir, I would ask who has been responsible for this great change which has come over the country? Personally I have no hesitation in saying that the greater part of the responsibility for that lies upon the shoulders of the Service whose position is now being discussed. I have no hesitation in saying that after 40 years' experience of them—and I will add that there is no Service in the world which contains anything like the same number of loyal, efficient and devoted men—men who time after time have sacrificed their lives and are still prepared to sacrifice their lives for the sake of India and its people. I have seen them working away through the hot weather, absolutely alone, right out of public ken—working entirely for the good of those whose destinies have been placed in their hands—working through epidemics of cholera and plague, with no thought of themselves, and no thought of reward or recognition, and doing their utmost to prevent—very often with success—anything like communal disturbances, but when such have unfortunately broken out, I have seen them dealing with such, with courage and determination and very often at great personal danger. It may be quite impossible to estimate the number of lives and the enormous amount of property which has been saved by these officers on such occasions. Personally, Sir, I have never quite liked to regard the Services as a steel frame—solid, efficient framework though they are: I have rather regarded them as the cement which has bound India together; and I for one think that without it India could never have reached the stage to which she has now come. Think of India in days gone by. The India of those days was a conglomeration of nations—Pathans, Sikhs, Punjabis, Mahrattas, Rajputs, Tamils, Scindis, Bengalis, Burmese and goodness knows how many other races. They have been bound together into one solid nation by, as I say, the cement of the Imperial Services. I appeal to the Members of this House to remember what those Services have meant not only to India's past, but what they mean to India's future. And remember too that the members of those Services have loyally accepted and will carry out the promises held out to India under the Government of India Act of 1919; that they are doing, and that they will continue to do, their duty in helping India towards that state of self-government which has been promised by the British Parliament. I entirely associate myself with my Honourable friend and Colleague Sir Muhammad Shafi in what he said on the subject of "*Ma-bap*" government, but from my personal observations in villages I still believe there are an enormous number of those who are really thankful for the help, sympathy and kindness of those British officers who come to them in the guise of *Ma-bap*. I am certain there are many who will confirm me in that; the time may come when they will not be regarded in that respect, but I honestly believe at the present moment, if the British officer were to withdraw from his role of *Ma-bap*, the act would not only be regarded as the greatest unkindness but also as a great betrayal on the part of those whom the people of the country have learnt not only to trust but to love.

**THE HONOURABLE THE PRESIDENT :** I should like to know what the wish of the House is about coming to a decision on the amendment before it. The speeches to which we have been listening have been gradually drifting away from the main object of the amendment to the Resolution itself. If it is the pleasure of the House we might, I suggest, deal before we adjourn this evening with the two dilatory amendments. In that case the amendment of Sir Deva Prasad Sarvadhikary should be put to the vote now. Is that the pleasure of the House ?

(The House signified its assent.)

To the Resolution moved by the Honourable Mr. Crerar the following amendment has been proposed :

“That after the words ‘This Council recommends to the Governor General’ the following words be substituted :

‘That it be represented to the Right Honourable the Secretary of State for India that pending the inquiries about Reforms and action that may be taken thereon, it is not desirable to give effect to the recommendations of the Lee Commission.’”

The question I have to put is that that amendment be made.

The motion was negatived.

**THE HONOURABLE THE PRESIDENT :** I now call on the Honourable Mr. Karandikar to move formally his amendment. If there are any remarks he wishes to make they must be strictly limited to the subject of the amendment ; and any remarks thereafter will be similarly limited.

**THE HONOURABLE MR. R. P. KARANDIKAR :** Sir, the amendment which stands in my name and which I have formally to read is this :

“That for the original Resolution the following be substituted, namely :

‘This Council recommends to the Governor General in Council that the several recommendations of the Lee Commission be referred to a Committee of both Houses, of which ten will be non-official elected Members of the Assembly and five of the non-official elected Members of the Council of State, all the fifteen being elected by the two Houses respectively, for consideration and report after review of all matters availed of by the Lee Commission and all such other matter, documentary and oral, as they in their discretion deem it necessary to call for, and, in the event of their favouring any of the recommendations, for an expression of their opinion as to how the extra cost due to such recommendations is to be met out of the public revenue, and that this report be due by the end of 1924.

- (2) That until such report is further considered by both Houses, no action affecting the finances of the country be taken on the Lee Commission.
- (3) That it is open to the Committee so appointed to make any other suggestions which in the interests of the ideal of self-government accepted for India they deem it desirable to make.
- (4) That the Committee do appoint their own chairman and their own officers and that as a temporary measure and until such appointment the Secretary of the Legislative Department be the Secretary of such Committee’.”

Bearing in mind the observation from the Chair I shall limit my remarks and merely refer to the sentiments that have prompted me to stand up and move this amendment. Honourable Members have just heard from His Excellency

[Mr. R. P. Karandikar.]

the Commander-in-Chief in how high esteem I do hold and did hold at one time members belonging to the Civil Service, especially those that belong to the judicial side to which Mr. Justice Birdwood had the honour to belong and Honourable Members will realise that I would be the last man to say anything in disparagement of the work done by the Civil Services generally ; it is from the point of view that any vote on this Resolution should carry real weight that I am moving this amendment. Here I am reminded of what Sir Malcolm Hailey said in the other place when the discussion took place about the adjournment of the House and when he was asked as to how any committee appointed by the Government of India on such a matter could not have carried weight and why a Royal Commission was needed. Sir Malcolm Hailey then pointed out that no committee appointed by the Government of India could have carried as much weight in England with the British people, who have to be satisfied, that the recommendations emanated from the highest source such as a Royal Commission. I am anxious that no recommendation that might go from this House should fall flat ; and I am anxious that there must be a full and thorough inquiry satisfying all it may concern, and therefore I suggest a Committee to go into the matter fully, and this can only be done by associating Members of this House with Members of the other House ; and though the other House, if my memory is right, did not mention Members of this House in the committee proposed there, I am willing to have a joint committee of both Houses in order that we might have all the importance attached to such a Resolution in consequence of what we may do. My anxiety is also that the matter should be considered as quickly as possible. I am not willing to defer the matter until the result of the Reforms Committee is out. The Reforms Committee, I am told, will be sitting in October. If it does, well and good. But if it did not I am anxious that this inquiry should be pushed on and that the public should be satisfied as to the matter on which the Lee Commission made their recommendations. As yet it is a sealed book. I really do not like that idea — that there should be no evidence before the public to sustain the recommendations of the Lee Commission. There must be an endeavour made to place all the matters before the public so that a full judgment may be assured. It is from this point of view that I am making this recommendation in my amendment. I have also endeavoured in the third clause to make it possible for any other recommendation to be made — with reference to the points that were discussed in connection with self-government for India. This Committee will have to consider also whether it is essentially necessary that the reserved subjects should be reserved for the reserved services and that those departments should be controlled by the Secretary of State, and whether the Public Services Commission which is likely to be brought into existence must be only the representative of the views of the Secretary of State, as the Lee Commission contemplate. The Public Services Commission would be appointed wholly by the Secretary of State ; its members cannot be chosen by any Assembly or Legislature ; the Lee Commission has made only a recommendation with reference to their nomination. I submit that it is possible for the Committee I suggest to make some recommendations to Government in that matter also. I am not deterred by the fate of the amendment which has just been thrown out. The Government

of India have been twice defeated, first when the adjournment was moved and second on the 12th instant in the Assembly. Still they persist in bringing forward this Resolution here, and I therefore feel it necessary to submit this recommendation of mine as an amendment.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI :—Sir, I have only a few observations to make in connection with the Honourable Mr. Karandikar's amendment. The House is aware that the Royal Commission consisted of 8 members, 4 Europeans and 4 Indians. Of these 8 members, 5, i.e., a majority did not belong to any of the Imperial Services in India. Of the 3 Indians, Mr. Bhupendranath Basu is well known, I have no doubt, to Honourable Members of this House as one who at one time was a leading figure in the public life of this country and who spent a long number of years in the service of his motherland. The other, Mr. Samarth, was a Member of the other House, and a very leading Member, who always took an active part in the discussions upon public affairs which took place in the Legislative Assembly. The third member, Sir Muhammad Habibullah, was a member of the Bar who after some years of practice was appointed to a special post in Madras and subsequently became a Member of the Executive Council there. The only Indian member out of the four members who was a member of our services was Rai Bahadur Pundit Hari Kishen Kaul, one of the leading members of the Punjab Provincial Service. Of the four European members, two came out from England, one a well-known authority on constitutional law and constitutional history and the other an *ex*-Cabinet Minister. There were only two European members of the Commission who belonged to the Services, one to the Indian Civil Service and one to the Indian Police Service. That was the constitution of this Commission. The Commission travelled all over India and held inquiries into the questions which had been referred to them. My Honourable friend, Mr. Karandikar, complained in his speech this morning that their inquiries were one-sided, that the popular view was not placed before them, and in consequence their Report cannot carry such weight as it would have carried had both sides of the case been represented to them. Well, Sir, whose fault was it that the popular view was not represented to this Commission? Unfortunately, the popular leaders decided upon boycotting the Commission, and the result was that they did not place their view of the matter before it. But it must not be forgotten that there were two popular leaders on the Commission itself, Mr. Bhupendranath Basu and Mr. Samarth, and in consequence they were well able to place the popular view before the body of which they were members. And I have no doubt that it was as a result of their advocacy of the popular view that all this provincialisation of the Services operating in the transferred field and the greater Indianisation of the All-India Services has been advocated by the Lee Commission. Therefore, it seems to me that the reference of all these matters again to a Committee of the two Houses will serve no useful purpose and will merely delay decision upon the problems which were referred to the Commission. And after all, there have been two full dress-debates, one in the other House and again one here to-day, when Honourable Members have had full opportunity of expressing their views and of advising the Secretary of State with reference to what the right position in this matter is. Where is then the necessity of postponing decision by referring this question again to a Committee of the two Houses? No useful purpose will

[Dr. Mian Sir Muhammad Shafi.]

really be served by this reference to a Committee consisting of non-officials and officials. The Royal Commission itself consisted of officials and non-officials and in consequence a second reference to another committee will not bring about any practical results. And I am afraid the amendment moved by my Honourable friend, Mr. Karandikar, will create a position of difficulty, for one of the two Houses of Legislature because in view of what has been said and in view of the pronouncements made, really they would have to face a very difficult position indeed by coming on to this Joint Committee and then swallowing what they have hitherto said. Therefore, I think, from all points of view really it would be best if my Honourable friend were to withdraw his amendment.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Sir, from the point of view of the last observation of the Honourable the Leader of the House I am inclined to think that, if such a Committee could come as it will not, it would serve some useful purpose. Reference has been made to the wisdom and unwisdom that has been imbibed in the other House by Members of this House—I thought such reference was not ordinarily made here—but those who watched the proceedings there will bear me out that, with perhaps a solitary exception, every Member . . . . .

THE HONOURABLE THE PRESIDENT : I do not want the Honourable Member to bring into the discussion references to particular speeches in the other Chamber. It is a recognised rule that speeches in the other Chamber should not be referred to here.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : I quite realise that, Sir, and that is exactly what I was saying.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI : Perhaps my Honourable friend will permit me to say that it was only by the way that I referred to the awkwardness of the situation ; that is not one of the principal reasons for which I appeal to my Honourable friend to withdraw his amendment.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : And that is, I say, answered by the fact that Members elsewhere were all for a Committee which could go into matters such as I ventured to bring up this morning, namely, the redress of the immediate grievances of those with whom we absolutely sympathise. Sir, the Honourable Mr. Karandikar regretted that we were not mentioned in the other House. Is he surprised that we should be left severely alone if unwarranted assumptions about the powers of what is called the revising Chamber go on ? About this assumption I find no authority in the constitution although there may be some reference in a Report. What wonder I say if we are left severely alone ? We were left severely alone in Parliament and the general reference there was to the Assembly. I had to ask a question in this Chamber whether this House would be ever consulted with regard to the Lee Commission's Report and had thus to get ourselves invited as it were. Sir, I do think a useful purpose will be served if a branch of the inquiry to which I referred this morning could be taken up by this Committee and expeditiously dealt with before the end of the year.



**THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN** (West Punjab : Muhammadan) : Sir, while reserving my right to speak on the Resolution to-morrow, I just want to say one word on this amendment. If there is a Joint Committee, there will be five members of the other House who have already voted that the Lee Commission's Report should be rejected—naturally if they come on the Committee, they would do the same. Now our House is of a different opinion and the five members who go there will naturally say that the other five are wrong and we are right and this Resolution should be adopted, and so 5 minus 5 represents zero. So such a suggestion is no suggestion. It should be dropped.

**THE HONOURABLE SIR MANECKJI DADABHOY** (Central Provinces : General) : Sir, I object to this amendment from another point of view. This amendment is of a peculiar character. It wants a Committee of both Houses to sit in judgment on the Report of the Lee Commission, and as such the proposal to my mind is simply ridiculous.

**THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY** : That is what we are doing now.

**THE HONOURABLE SIR MANECKJI DADABHOY** : No, we are not doing that now. What does this amendment ask ? That 10 elected members of that House associated with 5 elected members of this House should sit together and consider the Report and call for all documentary, oral and other evidence as they think fit and make any fresh proposals they deem proper. In the sub-clauses to this amendment the widest possible powers are allowed to this Committee. Now, Sir, does my Honourable friend seriously intend that the country should spend another five lakhs of rupees and that what the Lee Commission did by way of thorough investigation should be repeated by this Committee ? Is there any man in this Council who would attach more weight in such administrative matters to the conclusions of amateur politicians who never had any administrative knowledge or experience ? Is this Council to be guided by the views of politicians who had no administrative training in big matters involving the administration of the country and the welfare of one-fifth of the human race ?

**THE HONOURABLE MR. R. P. KARANDIKAR** : We will have the Honourable Member himself.

**THE HONOURABLE SIR MANECKJI DADABHOY** : I submit the proposal is one which does not appeal to me. It is, in the first instance, impossible for this body, constituted as it would be, to come to any decision. On that body who would be elected ? On that body elected Members mostly will be representatives who have shown great bias and prejudice against this Report and who have refused to discuss and debate the Report from the standpoint of the materials that are embodied in the Report. Is that body likely to come to a decision worthy of the importance of the subject ? I do not believe at all that there will be any unanimity in that Committee. Public money and public time will be wasted if this suggestion is accepted. I therefore request the House to reject the amendment if my Honourable friend does not agree to withdraw it.

**THE HONOURABLE MR. YAMIN KHAN** (United Provinces : West : Muhammadan) : Sir, I am sorry I cannot agree with the views advanced by

[Mr. Yamin Khan.]

my Honourable friend Sir Maneckji Dadabhoy in this matter. He has treated the Assembly in his speech with great contempt.

THE HONOURABLE SIR MANECKJI DADABHOY : No, I have not.

THE HONOURABLE MR. YAMIN KHAN : They are the elected representatives of the people. Whatever their views, whatever ideas might be guiding them, still they have got due regard for their opinion. My Honourable friend wants to save money. They also want to save money. As I had the honour of being for some time a Member of the lower House.....

THE HONOURABLE DR. STR DEVA PRASAD SARVADHIKARY : The other House.

THE HONOURABLE MR. YAMIN KHAN :..... of the other House, I think I may, in rising, utter a word of protest against the words and the feelings of contempt expressed for the Members of the other House.

THE HONOURABLE SIR MANECKJI DADABHOY : Sir, I must interrupt the Honourable Member with your permission. He is absolutely wrong in putting an interpretation on my speech which the language of my speech did not bear out. I did not express any contempt for the Assembly. I said the proposition was not a feasible one, and I pointed out how it was not a feasible and practicable proposition.

THE HONOURABLE THE PRESIDENT : The House may rest assured that the honour of the other House is in safe keeping in this Chamber in the hands of the Chair. (Applause.) And if the Honourable Sir Maneckji Dadabhoy had expressed any contempt for the other House, I should at once have requested him to withdraw his remarks or to resume his seat.

THE HONOURABLE MR. YAMIN KHAN : No doubt, Sir, I am afraid I cannot agree with the amendment of my Honourable friend Mr. Karandikar. I quite agree with the conclusions which have been arrived at by my Honourable friend Sir Maneckji Dadabhoy that it will serve no purpose to have any such Committee appointed, consisting of ten Members of the Indian Legislative Assembly and five non-official Members of this Council. Besides, what more my Honourable friend wants is this, that the ten should be non-official Members of the Assembly, all the fifteen being elected by the two Houses respectively. We all know that in the other House there are two parties. They are not sharply divided, but of course though they call themselves two parties, they are really of one party. They are the Independent Party and the Swarajist Party. If we have ten Members elected by the Assembly out of the non-official Members, we know what will be the position of those Members and what will be their ideas. There are other non-official Members who are nominated by the Government. Supposing any of those nominated non-officials are elected to this Committee, what will be the views of the Assembly on the report of such a Committee? Or supposing that nominated non-officials of this Council are returned to this Committee, what value will the country attach to their views? Will they attach greater weight to their views than they are attaching now to the Report of the Lee Commission? I do not think so. My friend wants to place that Committee also in a very awkward position. I am sure that if this House so desired

three of the five could come out of the nominated Members and this will bring the Committee and the House and the Government into ridicule in the whole country. I do not think this will serve any useful purpose now. It is of course a different matter about the whole House sitting in judgment. I do not agree that this Honourable House or the Indian Legislative Assembly cannot sit in judgment on the Report of the Lee Commission. We are entitled to look into every matter that has been reported on and we have to sift what is good and what is bad in the Report, and we can adopt our attitude accordingly. But what the Honourable Member wishes is to appoint a few people in this way and entrust them with this work. This will make their position awkward and will bring ridicule on this Honourable House from the whole country. I therefore oppose the amendment.

**THE HONOURABLE THE PRESIDENT :** The motion now before the House is :

“ That for the Resolution proposed by the Honourable Mr. Crerar the words set out in the \*amendment moved by the Honourable Mr. Karandikar be substituted.”

The question I have to put is that that amendment be made.

The motion was negatived.

**THE HONOURABLE THE PRESIDENT :** I think the Council will now wish to adjourn the debate, which will be continued at 11 A.M. to-morrow morning, when I shall call upon the Honourable Mr. Khaparde to move his amendment.

The Council then adjourned till Eleven of the Clock on Tuesday, the 16th September, 1924.

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\* *Vide* p. 1081 of these Debates.