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THE
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FIRST SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1927



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Legislative Assembly.

The President :

THE HONOURABLE MR. V. J. PATEL.

Deputy President :

MAULVI MUHAMMAD YAKUB, M.L.A.

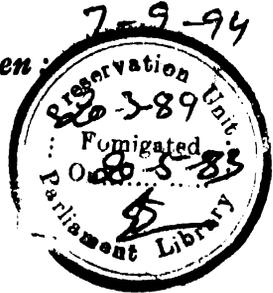
Panel of Chairmen :

MR. M. A. JINNAH, M.L.A.

THE REV. DR. E. M. MACPHAIL, M.L.A.

MR. M. R. JAVAKAR, M.L.A.

MR. K. C. NEOGY, M.L.A.



Secretary :

MR. L. GRAHAM, C.I.E., M.L.A.

Assistants of the Secretary :

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

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

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

Marshal :

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

Committee on Public Petitions :

MAULVI MUHAMMAD YAKUB, M.L.A., *Chairman.*

MR. K. C. NEOGY, M.L.A.

MR. JAMNABAS M. MEHTA, M.L.A.

LIEUT.-COLONEL H. A. J. GIDNEY, M.L.A.

MR. C. DURAISWAMY AYYANGAR, M.L.A.

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LEGISLATIVE ASSEMBLY.

Thursday, 24th March, 1927.

The Assembly met in the Assembly Chamber of the Council House at Ten of the Clock, Mr. President in the Chair.

SHORT NOTICE QUESTION AND ANSWER.

DANGEROUS CONDITION OF THE ASSEMBLY CHAMBER, NEW DELHI.

Mr. B. Das: (a) Will the Honourable Member in charge of New Delhi Construction, be pleased to inform the House what conclusion the Government reached after the examination of the ceiling of the Assembly Chamber by their experts as to the dangerous condition of the Assembly Chamber.

(b) Will the Honourable Member be pleased to lay on the table a copy of the findings of that body of experts for the information of the House?

The Honourable Sir Bhupendra Nath Mitra: (a) Sir, I have not yet received the report of the expert.

Mr. A. Rangaswami Iyengar: May I know, Sir, what are the temporary arrangements that are being made to protect the lives and safety of the Members of this House?

The Honourable Sir Bhupendra Nath Mitra: If the Honourable Member will kindly look up, he will see what steps have already been taken.

Mr. A. Rangaswami Iyengar: I want to know if there is something behind that?

Sir Victor Sassoon: Is there any truth in the rumour that the danger of this building is the cause of this very sparse attendance this morning?

The Honourable Sir Bhupendra Nath Mitra: I do not know, Sir.

ELECTION OF THE STANDING FINANCE COMMITTEE.

Mr. President: I have to announce that the following Members have been elected to the Standing Finance Committee for the financial year 1927-28:

Nawab Sir Sahibzada Abdul Qaiyum,
Mr. G. Sarvotham Rao,
Mr. M. S. Sessa Ayyangar,
Mr. W. A. Moore,
Mr. A. H. Ghuznavi,
Sir Darcy Lindsay,
Dr. A. Suhrawardy,
Sardar Gulab Singh,
Mr. K. C. Neogy,
Diwan Chaman Lall,
Mian Mohammad Shah Nawaz,
Mr. Gaya Prasad Singh,
Raj Sahib Harbilas Sarda, and
Haji Chaudhury Mohammad Ismail Khan.

THE INDIAN FINANCE BILL.

Mr. President: The House will now resume the further consideration of the motion that the Finance Bill, as amended, be passed.

Mr. O. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): Sir, I said in my yesterday's speech that I will take the principal aspects of Pandit Malaviya's really good speech on the rejection of the Finance Bill in 1924. Sir, in that historic debate, the leading Members of this House took part, and the Finance Bill was rejected. All the observations that the Pandit made on that occasion are applicable to the debate to-day, perhaps the observations are more applicable to the situation with which we are faced to-day than it was then. Sir, the Pandit dwelt on various aspects, the political aspect, the economic aspect, the commercial aspect, and also the moral aspect. He said that we could not lend our moral support to the maintenance of this administration. He also referred, Sir, to the British rule from its beginning in this country.

When you were one of us, in your own inimitable style, speaking in the year 1924, on the 10th March 1924, Sir, you said, in reply to those who considered that the step that we were taking was an extreme one, that:

"it might be an extreme step, but that was the only step that we could take as constitutionalists under the power given to us under the constitution."

And you said, Sir,

"So, the sole question for this House now to consider is whether the circumstances justifying this House in taking this extreme step have come into being. We are, Sir, under British rule for the last 150 years. There are certain tragic facts which it is necessary for us to take note of. It may or it may not be that the British Government are or are not responsible for those tragic facts. But the fact remains that the British Government have not been able to prevent the occurrences of these tragic facts. And what are those facts? The average income of an individual in India hardly \$2, annually or Rs. 30."

So this is a statement which the Honourable Sir Basil Blackett, always vigilant, when he is not in agreement with us, always ready to come forward and say that he is ready to protect the poor, said "It is a tragic misstatement". Then, Sir, you said, "It is a misstatement? Will you tell me how much of it is?" and he said "No", and "No" is a very convenient way of getting over the very difficult question that you put straight to the Finance Member. Then you continued:

"We have repeatedly told the Government to estimate the annual average income of an individual. They will not face or undertake such an inquiry. And the official or semi-officials as well as the non-official estimates taken in years gone by prove conclusively that the average annual income is Rs. 30 or thereabouts."

The Honourable Sir Basil Blackett then said "No".

"Then again,"

you continued, because "No" is not an answer, but a mere contradiction,—

"then again, Sir, millions of people in this country live on one meal per day. Millions die of pestilence, plague, cholera, all sorts of diseases. In 1918—I do not remember the year—6 millions of my countrymen died in 3 months owing to influenza alone."

Then as to-day, Sir, millions of people in this country do not know what a full meal is. They fall easy victims to diseases because their resisting capacity is so low. In 1918, you recalled how about six millions of our countrymen died in three months owing to an influenza epidemic, because their vitality was so low. If only the money that is spent on the costly

maintenance of a foreign Government—and all European critics, including Mr. Ramsay Macdonald, have admitted that it is inevitable that foreign Governments should be costly,—if part of that costly administration went to improving the conditions of the people, Sir, their vitality would be better, their capacity to resist diseases would be increased and there might not be this tragic state of things. It is not a tragic fancy but a tragic reality. Of course, the Government have asked: "Is this the fault of the Government?" But your answer when you were amongst us may be quoted:

"These are tragic facts which I want the House to note. I do not lay them all at the door of the British Government. But what I do maintain is this that the British Government, after 150 years of their rule in India, have not been able to prevent the occurrence of these facts. It is under their rule that these things have occurred. Take education. After 150 years of British rule, 5 per cent. of the population know how to read and write."

Sir, it has been part of the policy of the British Government, it has been part of their calculated policy not to educate the people, not to educate them on rational or national lines but to educate them only for the purpose of creating a class of clerks and props and dependents of an alien Government. Sir, anyone who has read the various despatches, the various communications, the various documents bearing on the special nature of the first purpose with which education was introduced into this country will realise that. And to-day the first-class co-operators of this Government are English educated men and the Government are not interested in spreading education among the masses, in making mass education a reality by making it free and compulsory only because they are not interested in rousing the millions to a sense of their rights and wrongs.

I was referring to Pandit Madan Mohan Malaviya's speech. Another aspect which Pandit Madan Mohan Malaviya laid before this House was in relation to the Sikh prisoners. He said, Sir,—and the question was raised the other day in the Punjab Legislative Council—in 1924 he said—and unfortunately it is all true even to-day—he said:

"We have asked for the release of political prisoners, but the Government have not yet responded."

and he went on to say:

"The House recommended the other day the release of Sardar Kharak Singh. We have not yet heard what decision the Government have arrived at in the matter; but he is not the only person about whom we are anxious. There are numerous persons, respectable and innocent persons, who are unjustly undergoing imprisonment, while we are having our dinners and our parties, and holding our receptions and enjoying life. It fills me with grief, it fills me with a sense of shame, that we should be unable to save our fellow men from this indignity and hardship; it fills me with a sense of grief that we should be unable to persuade this Government which have invited us to represent the people here, to adopt the right course in relation to these gentlemen who are unjustly undergoing imprisonment."

I refer, Sir, to Sardar Kharak Singh, and it is a great shame that Sardar Kharak Singh should even to-day continue in jail. This is so far as the liberty of the subject in British India is concerned. But the Pandit also referred to a policy of bullying in regard to the Indian States the rulers of which are fast losing every confidence in the Government. For instance he referred to the general situation arising out of the deposition of His Highness the Maharaja of Nabha.

One of the patriot-princes of India, His Highness put up a stand-up fight against the manner in which the British Government had been using

[Mr. C. S. Ranga Iyer.]

the Princes of India. His Highness, who took up a strong patriotic attitude, has been deposed. All kinds of militarist pressure were brought to bear on him and thus the deposition of the Prince was brought about. Sir, that is the British record of tragic maladministration which is visible always in the Government's dealings with Native States. Sir, the Native States have been regarded as a buffer between the people and the bureaucracy. The time has come when the Government must satisfy public opinion by a reconsideration of the whole case of the Nabha deposition and a reconsideration of the entire constitution relating to the administration of the Native States and Government's dealings with regard to Native States. Sir, there is a very deep-rooted feeling in the public mind that a very grave injustice was done when His Highness the Maharaja was forced to abdicate. I say "forced to abdicate" because the idea that the abdication was in any way voluntary is a gross misrepresentation of the actual circumstances. Everyone now knows that this much-harassed Prince was forced to sign the abdication papers at the point of the pistol as much as the enforced abdication of the Tsar of the Russias. Sir, the real reason for this enforced abdication of an enlightened and cultured ruler was that he was a patriot. I can place before Honourable Members a document printed by a distinguished lawyer of His Highness in an Allahabad press, relating to the correspondence between the Maharaja of Nabha and the Foreign and Political Department. This correspondence reveals how cruelly manacled our Princes are.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Is that a subject for the Assembly to deal with?

Mr. C. S. Ranga Iyer: It is entirely a subject for the Assembly to deal with. It is a subject which deals with the maladministration of Government. It is a subject which is really the crux of the entire situation in this country. Princes are put between us and the Government. The Government want buffers just as the Frontier Province is a buffer State between India and the Bolsheviks or countries which have a tendency to be Bolshevik—we have all heard of the Russian bogey—just as the frontier province is a buffer between India and the outside world of which the English rulers are afraid, even so within they have erected this diabolical buffer. Yes, the Native States are a block in the way of Indian progress. You bring in the Native States to impede us in our march. Sir, Mr. Kabeerud-Din Ahmed can easily be taken into these tragic relations into which the Native States and the British people were about to be brought by a former Viceroy. But I shall proceed with the simple mal-treatment of a patriot Prince such as the mal-treatment of the Maharaja of Nabha. If the Maharaja was not a patriot, if he was not trusted by the people, if he did not stand up for the rights of the people, then he would not have been deposed. The real reason for this enforced abdication of an enlightened and cultured ruler was not maladministration of his State, oppression of his subjects, judicial corruption or a "sovereign" offence against a neighbouring Prince of the Punjab, but the fact that from his earliest days, even before he ascended the Gadi, he was a man of independent character who could not abide the petty tyranny of British officials, and was not ashamed or afraid to exhibit his sturdy nationalism.

Mr. K. Ahmed: The Finance Bill has nothing to do with it.

Mr. President: The Honourable Member need not take any notice of these interruptions.

Mr. O. S. Ranga Iyer: Well, Sir, I bow to your ruling; but when this specific question was raised, you yourself told us that we had every right

Mr. President: No one has taken objection: why does the Honourable Member try to justify?

Mr. O. S. Ranga Iyer: I thank you, Sir, for not having taken any objection. Judging from this one matter alone, all I would like to say is that the administration of the Government is not satisfactory. It is not satisfactory either for the people who are in British India or for the Princes who are not in British India. Perhaps there is not one of us who has been treated in a more shabby manner than the Maharaja of Nabha and it is for the Government to reconsider their attitude.

Pandit Malaviya said in 1924 :

“The question of the Sikh prisoners looms large.”

Sardar Kharak Singh is a non-violent man. He has been suffering and facing much ordeal in the prison. Sir, for days he was almost naked in the cells. He was asked to remove the turban on his head. He was not allowed to wear a turban that was suitable to him. He was not given a Gandhi cap. What was the point, Sir, in oppressing a political prisoner in that manner? Then again, Sir, in this House we passed a Resolution on the release of the prisoners and on the bringing back to India of the exiles. Sir, it is very unfortunate that the Government have not given effect to that Resolution. That Resolution, which was moved by my friend Maulvi Muhammad Shafee, ran thus :

“This Assembly recommends to the Governor General in Council that he be pleased (a) to order the unconditional release of all such convicted or under-trial political prisoners in Indian jails as have not been held guilty or charged with any act of violence, and all political detenus whose trial in a court of law is not contemplated; (b) to order the release of all other political prisoners convicted or under trial, provided that a Committee consisting of 2 Members elected by the Legislative Assembly and 2 members nominated by the Government recommend their release . . .”

No such Committee has been appointed. As we have no such Committee appointed no wonder they still continue to rot in prison,

“and (c) to allow the return to their homes of all Indian exiles in foreign countries who are supposed to have been concerned in revolutionary movements in order to secure freedom for India, on such reasonable and honourable terms as the Government may think fit to impose.”

Sir, the Assembly took a reasonable attitude, in my opinion a much too reasonable attitude, in my opinion a much too cringing attitude, in my opinion a much too moderate attitude. Instead of asking for the unconditional release of these exiles, they said, “On such reasonable and honourable terms as the Government may think fit to impose.” Have those reasonable and honourable terms been given to these exiles? Sir, even in Ireland where there was a bloody revolution where the British officers were shot, even there the Government took up a very conciliatory attitude. Did not the Government, did not His Majesty's Ministers, shake hands with the people whom their newspapers, my friend Mr. Donovan will say very wrongly represented as men whose hands were stained with blood? Men like Michael Collins were represented by the British newspapers as men whose hands were stained with blood. Sometimes even Mr. Arthur Griffith was represented like that, a phrase which Irish Members in this House of the type of Mr. Donovan could not like

Mr. J. T. Donovan (Bengal: Nominated Official): On a point of personal explanation, Sir. I do not think that I ever referred to Mr. Arthur Griffith in this House.

Mr. President: Never mind, Mr. Donovan. Go on, Mr. Ranga Iyer.

Mr. C. S. Ranga Iyer: I thought, Sir, that he might not like, that he did not like English newspapers referring to his own countrymen in that brutal manner, to great leaders of his own country. The fact is that there was a bloody revolution. Michael Collins was the Commander-in-Chief of Republican Ireland and how did the English treat them? The Irish leaders were insisted to a Round Table Conference in Downing Street. They came in His Majesty's saloon to England to settle the Irish question, and the Irish question is to-day a settled fact. Do Englishmen want that we should also pass through the same stages of a blood-bath of revolution, of shooting Englishmen in this country? Sir, we are more of constitutionalists. Otherwise, we would not have come to this House. Mr. Satyendra Chandra Mitra himself is a constitutionalist. Otherwise he would not have agreed to come to this House and take the oath of allegiance to the King of England. Do Government want to spurn everything that the constitutionalists ask for? Do they want to encourage a revolutionary movement in this country? Do they think that Indians cannot be irritated and driven to a revolution? Do they think that by shooting Englishmen alone, by throwing bombs on them alone, by destroying them alone, they will yield? We do not want that. Sir, we are a nation which loves non-violence. ("Hear, hear.") That is why the non-violent non-cooperation movement of Mahatma Gandhi had an India-wide response. But do the Government want to shake the people's faith in non-violence? I put it to the Honourable the Home Member who has just left his seat—whenever inconvenient statements are made, that polite gentleman leaves his seat (Laughter)—but I put it to the Honourable the Home Member who is absent, I put it to the gentlemen on the other side, why they should not try to conciliate the constitutionalists in this House. Sir, there are extremists who have not come to this House. Their number may be very small to-day. They are not those on whom the Government have laid their hands. Government have laid their hands on constitutionalists, on Swarajists, and they have done so to destroy the constitutional movement. My suspicion, Sir, is this that the Government know how to handle better a revolutionary movement, a revolutionary who is armed with violent weapons of war, with their aeroplanes which have demonstrated their capacity to throw bombs on the people in the Punjab. They are men who can go to the extent of humiliating people as they humiliated the people of the Punjab. Sir, you know the tragedy that was enacted in the Punjab. You were there, Sir, inquiring into the grievances of the people. You were there, Sir, inquiring into the atrocities that were perpetrated in the Punjab. Whenever there is a constitutional movement to defy an immoral attitude of the Government to break the bones of the people by passing legislations, such as the black Act,—I refer to the Rowlatt Act—then they come in all the grim horror of the revolutionary, they demonstrate all the terrible weapons in their possession, they bring to service even the aeroplanes to throw bombs on people. Just as they humiliate the patriot Princes by demonstrating before them their military power, they also humiliate the people. Sir, this is not a civil administration. As I said three years ago, this is martial law under the civil garb. And whenever we carry

on an agitation in a constitutional manner, the Government threaten us with all the power in their hands. I ask them, "Is this the manner to treat people who are non-violent? Is this the manner to treat people who are co-operating?" We ask merely for the release of the political prisoners. They will not release them. Why? Because they think these political prisoners will come from the jails to propagate new ideas of strength in the nation. They might try to increase the faith of the people in self-discipline, self-knowledge and self-control which alone lead a nation's life to sovereign power. Nor would they allow the exiles to come back to this country even on "honourable terms" as embodied in the Resolution which was passed by an overwhelming majority in 1926. This Resolution has not been given effect to, and this one fact is enough to condemn the administration of the Government and to justify the throwing out of the Finance Bill. But there are other considerations.

I shall first refer to one very weighty consideration this year. I would not go into the Ratio Bill, because that is not my province and I do not believe in going beyond my province. There are other gentlemen who said that they do not believe in the 1s. 4d. ratio. At any rate I said nothing to that effect on the floor of the House. I do not find Sir Purshotamdas Thakurdas in his seat. He made tremendously sensational speeches in the House making all kinds of attacks on the Finance Member and the Government, almost horrid statements, horrid from the point of view of Government, saying that 1s. 6d. will lead to all kinds of disaster. But I do not see that gentleman in his seat now when I am just pressing for the throwing out of the Finance Bill. If Sir Purshotamdas Thakurdas believed in all those things that he said on the floor of this House—Sir, I did not say those things—then it is for him to throw out the Finance Bill and avert the disaster. If, on the other hand, he was only talking with his tongue in his cheek then it is for him to remain neutral or vote with the Government. There is no use raising a picture in this House of disasters and all that kind of thing, if you do not propose to throw out the Finance Bill. Sir, I will withdraw every suspicion, every doubt that I have about those Sixteen Pence gentlemen if they join hands with me and reject this motion, and go into the Noes lobby and vote against it. All the arguments that Sir Purshotamdas Thakurdas placed before this House will look like bluff if he does not join hands with me, if all those who voted with him do not join hands with me in rejecting the Finance Bill. It is unnecessary to read the statements that they made in this House, it is unnecessary to read the statements that they made outside this House. I have voted with them. I have stood by them. I have supported them by my vote. My party has stood by them; others have supported them in the country; and it is for them now to stand by us if they really believe in what they said, if they really believe that this 1s. 6d. ratio will lead to a terrible disaster. If, on the other hand, it is only a case of make-believe, they will proclaim to the world by their neutrality that theirs is a case of make-believe. I have no right to come to a conclusion before I see which way they vote. I am putting these things before the House because those who have voted on the Ratio Bill against the 1s. 6d. ratio must justify their statements by throwing out the Finance Bill which is based on the very abominable ratio, abominable from their point of view. I am a politician and I raise the political issue. I have not spoken a single word on the floor of this House on the Ratio Bill and I deliberately did not speak, because the gentlemen who

[Mr. C. S. Ranga Iyer.]

were speaking were on their trial and I knew that the Finance Bill would come and it would put them to the test. If they stand the trial, we will be their willing followers in the future. If they do not stand the trial, I am afraid great misgivings will be entertained in the country that they said so much, but when it came to the scratch they stood away. I see that some gentlemen who were enthusiastic about the rejection of the Ratio Bill left this House when the Finance Bill came up for consideration. I do not want to name them, but they are not here. It shows their sense of responsibility. If they really believe in all that they said, then they should stand by us. If they do not believe in what they said, they ought not to have said what they said.

Pandit Madan Mohan Malaviya said, while concluding his memorable speech of 1924 for the rejection of the Finance Bill:

"We cannot lend our moral support and vote for the maintenance of this taxation unless the representatives of the people of this country have a voice in the expenditure of the money raised by taxation, unless we are put in a position to exercise the same rights and privileges which the members of every Legislature in the world exercise."

What attempts have the Government made to put us in this privileged position? What attempts have the Government made to give us our birth-right? Lord Birkenhead not from his place in the House of Lords but in one of those postprandial speeches in which His Lordship becomes extremely eloquent indulges not in a postprandial oration really charming and entertaining, but blusters; in one of those blustering speeches of his—the latest bluster of the day,—Lord Birkenhead was saying what Sir Charles Innes said on the floor of this House but in a somewhat different language. I do not want to read what Sir Charles Innes said, but I shall certainly refer to what Lord Birkenhead said. Sir Charles Innes was wondering as to what would happen if Englishmen left India, and Lord Birkenhead was putting the same question; what will happen if the great British services, if the Superior Services, if the soldiers, if the English people cleared out of this country? And he answered the question. It is always very interesting to put a question and then to answer it, especially when the questioner and the gentleman who answers happen to be one and the same person. (Laughter). Lord Birkenhead can put very convenient questions and then give the answers which he could have already anticipated. It is all very nice to create an imagery or image of one's own and then demolish it: "What would happen if the British people left?" Lord Birkenhead said he had put this question to a number of Indian deputies. I do not know if you, Mr. President, were one of those gentlemen, though you happened to be one of our most distinguished representatives when the Reforms came into existence—perhaps the only representative who could speak with authority on behalf of the Indian National Congress, that institution which the Montagu-Chelmsford Report has described as the only authoritative and authentic body in this country—I do not know whether you happened to be one of them, but my suspicion is that you had no opportunity of meeting Lord Birkenhead nor did you care to meet him, but you met Mr. Montagu who was then in Lord Birkenhead's place. Lord Birkenhead's Government might or might not follow the policy which you placed before the British Government when you were there as an Indian deputy. Lord Morley has recorded in his "Recollections" that he met gentlemen from India and in his letters to

Lord Minto he has made it very clear that even Gokhale had told him, "If you do not give the Indian people real reforms revolution might follow, a terrible situation might arise in the country" and so on and so forth. (*An Honourable Member*: "Shame.") I do not understand the meaning of that cry "Shame".

Mr. K. Ahmed: The cry was for somebody else, not for you.

Mr. C. S. Ranga Iyer: It is a great shame that revolution has not followed, perhaps that is what that gentleman feels. That gentleman who cried "Shame" is perhaps ashamed that we are standing in this House and talking like constitutionalists like Redmondites instead of instigating people to revolution. I know these irresponsible cries of "Shame" will be hailed by people who are not in this House to-day and who do not approve of our walking into these Legislatures and pleading with people, arguing with people who are unwilling to listen. At any rate they feel that this is all a waste of time (*Some Honourable Members*: "Hear, hear") and perhaps it is a shame. My Honourable friends over there cry "Hear, hear." That is a case where extremes meet—revolutionaries who sit on those Benches (pointing to the Treasury Benches) say "Hear, hear," and so do the people who are overhearing me, they may not be within the reach of my voice, they may not be in this House, but what I say to-day is being overheard in the country, what I say to-day is being overheard by teeming millions, and what I say to-day is also being overheard by a class of people who do not approve of our constitutional methods, and they too say "Hear, hear" when I say "waste of time". And so do the Honourable the Government Members say—extremes always meet! Sir, the time will come if they persist in this policy—the time that came in Ireland when Redmondites had to share oblivion. Even so Mr. Srinivasa Iyengar and his followers may have to share oblivion. (*An Honourable Member*: "Share oblivion.") I believe it is Sir Darcy Lindsay who said, "share oblivion."

Sir Darcy Lindsay (Bengal: European): Sir Darcy Lindsay did not say, "share oblivion."

Mr. C. S. Ranga Iyer: But the voice came from somewhere where Sir Darcy Lindsay sits I believe it is one of those European Members sitting over there who said, "Share oblivion." I know Englishmen and Europeans and then those who have not gone to Europe but call themselves Europeans—I know these people do not believe in constitutional methods and I know that they are anxious that we should go into oblivion. History teaches just what the revolutionary has learnt that you cannot get anything out of the British people except at the point of the pistol, at the point of the sword, at the point of the bayonet. (*An Honourable Member*: "Question.") That is why they want us to go into oblivion. They may leave this country bag and baggage when the country becomes too uncomfortable for them to live here

Mr. O. Duraiswamy Aiyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): And unprofitable.

Mr. C. S. Ranga Iyer: And unprofitable as my Honourable friend, Mr. Duraiswamy Aiyangar very rightly adds. But we who have to live and die in this country, have to look after the interests of our country much better than the gentlemen over there. Lord Birkenhead said, "What would happen if the British people went out of India?" I say what Mr. Duraiswamy Aiyangar has just said that it would become an unprofitable business

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for them to live here if they went. Are they prepared to leave? Can they contemplate the loss of enormous money flowing to England? Can they contemplate the loss of enormous commercial business? Can they contemplate the loss of so much field for the unemployed children of England? India gives much scope for the European unemployed. The subjection of India is the solution of their unemployed question. Lord Birkenhead did not want, he "could not contemplate with indifference", to use his own phrase, the disappearance of the British from India, because there will be revolution in England, there will be starvation in England, and empty stomachs, as Edmund Burke put it, are a prolific source of revolution, and there will be empty stomachs in England if India was lost to England. Why, for instance, was preference introduced by the backdoor, as Mr. Jayakar very well put it in his eloquent speech? Why do the Government and their representatives want Imperial Preference? Why is it that a propaganda is carried on for Imperial Preference? To get the best out of India and at the same time to keep the Indians in subjection. Sir, Lord Birkenhead made other equally convenient observations which could be dismissed as post-prandial fantasies which sometimes float before men of the type of Lord Birkenhead. He appealed to "the rationally-minded people of India". Is he rationally minded? What did he, the famous F. E. Smith, preach to the Irish people? He preached rebellion against the King. His Lordship will have to listen to the grievances addressed to the British people and their representatives in a reasonable and honourable manner if he expects others to be in a reasonable frame of mind.

Sir, we are asked to pass the Finance Bill. We are asked to supply the wherewithal for the extravagant Treasury Benches for meeting an expenditure for which this House is in no way responsible. The right to spend is the whim of a few paid squanderers of public money and the right of extorting money from the poor pockets of our fellowmen is to be our lot. We have not been sent here for abetting such huge and organised plunders of public money. We have over and over again pointed out the ways of reducing the expenditure. We have offered our own men to do the business of administration in all its branches and they are obstinately keeping them out and importing the British steel into this country. We all know about the O'Donnell Circular and it was shelved. My Honourable friend Mr. Duraiswamy Aiyangar very pithily and effectively described it when he said: "It is a reverse process from what is observed in trade. In trade the raw product is exported from this country and it is sent back to us as manufactured and finished article. In the services you import the raw products of Great Britain with fat bounties too to last for their life. Whether on the civil side or on the military side this country bears all the expenditure of training the boys of Great Britain and when they have been trained the benefit is enjoyed by their motherland both from them directly and from their descendants on the law of heredity. India is a victim of all the blunders of the experimental stages."

This leads me to the question of the Indian Army. Speaking in this House. His Excellency the Commander-in-Chief said:

"I was telling the House last year that when I go round inspecting units of the Indian Army, my custom invariably has been to get hold of all the Indian officers and ask them to open their hearts to me and to tell me where the shoe pinches and any complaints they may have to make."

That is an extraordinary method of solving the question which we have so repeatedly placed before the Government on this side of the House—the question of giving opportunities for Indians in the army, of giving careers for Indians in the army, of officering the Indian Army with Indians themselves. The Commander-in-Chief comes and tells us that he goes round and talks to the Indian soldiers “How do you do, where does your shoe pinch?”. I am sure that if the shoe pinched a little too much he would be asked to wear another shoe. (Laughter.) Sir, that is not what we want. What we want is to have a national army, to have a citizen army, to have an army which will save us from this terrible position to which Lord Birkenhead’s countrymen have exposed us. Lord Birkenhead’s question, to which I just referred, carried with it the condemnation of this system. If you really thought that 150 years of British rule in this country have made us incompetent, no further condemnation of the British Government is necessary. That conclusively proves that if it is not possible for us after 150 years of British rule in this country to defend ourselves, then that system must discontinue immediately. The sooner it is discontinued the better for themselves, the better of humanity and better for ourselves. His Excellency went on to say that there was an idea in some parts of the House that service abroad and especially service in China is not popular with the Indian soldier. What were the facts? His Excellency said that while he was inspecting a Rajput unit recently they gave him very gushing answers. They demonstrated their enthusiasm for service abroad. He said :

“I know my Indian comrades well and I can honestly say that this is not the case. Service abroad and especially in China is most popular. The old spirit of adventure is still marked in the Indian army as it has been for the last 100 years and I hope that it will always last.”

Sir, service and adventure of what kind? Our soldiers are sent to China to shoot our own countrymen in China, the Asiatic brothers of ours. Why should the Indian Army be sent to China? Sir, if there is a rebellion in the neighbourhood of England, in the Colonies, then the Indian Army might go and shoot these Colonials. Indians can like that kind of adventure, if the Government want to send them. Because some soldiers told His Excellency that they were enthusiastic about service in China—and they could not be more than 100 or 200 or for the matter of that 1,000—these Indian soldiers are sent to China. What happens in the Colonies? We are supposed to be marching in the direction of responsible government. Every minute the Government is demonstrating its own sense of utter irresponsibility. I repeat what happens in the Colonies? No army of that kind can go out of the Colonies for foreign service without the consent of the Colonial Parliament, but here no reference is made to this House. Even to this Assembly no reference is made. (Mr. B. Das: “Casual reference.”) My friend Mr. Das says, “Casual reference”. I do not know if that is a reference at all. It was only the announcement that the ukase of the Government had gone forth, that they had come to a decision, from which there was no going back. That was not a casual reference, it was a calculated insult. Government are not at all ashamed of indulging in such repeated calculated insults. Sir, all that we wanted then was to place before this House, after the despatch of the army, what we thought of it but even that was choked by the interference of ungoverned executive authority. Sir, this system must go. This one incident is enough for the rejection of the Finance Bill. That demonstrates that we are helpless in matters affecting the dignity of our race. Sir, we have lost everything,

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our freedom, our wealth, but we are unwilling to lose our honour. We are unwilling to lose our dignity and to send Indian soldiers to shoot down the Chinese in whose struggle for freedom I have great sympathy and my countrymen have great sympathy. It is a struggle against that menace of Western domination. It is a struggle against the barbarous militarism of Europe which is extending its power all over the world. It is a struggle against that barbarous institution called militarism which is grinding down the Asiatic race. In the great struggle of the Chinese we have great sympathy, we have tremendous sympathy; and if some of us could join the Chinese army and shoot the English people who are keeping them in bondage we would gladly do so.

Sir Victor Sassoon (Bombay Millowners' Association: Indian Commerce): The British are keeping the Chinese in bondage?

Mr. C. S. Ranga Iyer: I say that the British are keeping the Chinese down.

Sir Victor Sassoon: I suggest the Honourable Member should go to China and he would find it is not the case.

Mr. C. S. Ranga Iyer: My method of looking at China is different from that of the Honourable Member over there

Sir Victor Sassoon: I go there.

Mr. C. S. Ranga Iyer: He looks at them with coloured glasses, glasses coloured, if not with Imperialism because I do not call him an Imperialist, but coloured with a kind of sympathy for British Imperialism. I am afraid, Sir, the Honourable Member over there has got a large stake in the neighbourhood of China.

Sir Victor Sassoon: Yes.

Mr. C. S. Ranga Iyer: Yes, I know, and if the Chinese movement is a success that gentleman loses a great deal. Therefore he is not in sympathy with the revolutionary movement in China. I am in sympathy with that movement. I want all the English people in China to be turned out bag and baggage. I want the English people to have no basis for exploiting the old treaties which were entered into with the Chinese Emperor at a time when China was not wideawake. To-day the Chinese giant is on her feet. To-day China is fighting for her freedom, and the English people are employing every means in their power, including the Indian Army, to destroy the Chinese.

Sir Victor Sassoon: Who are the Chinese fighting?

Mr. C. S. Ranga Iyer: The Chinese are fighting the British. They are fighting also those countrymen of theirs who are not able to rise to the height of democratic freedom. In the fight for national and democratic freedom you have to fight your own traitors in your own country; you have to fight the spies of foreign powers in your own country; and we have also to fight the British. It is these people the Chinese are fighting. They are fighting the dangerous and reactionary elements in China itself and they are fighting those who are occupying all the most important places in China on the seaside; fighting those who are keeping China in bondage.

Sir Victor Sassoon: No.

Mr. C. S. Ranga Iyer: You may say "No", but a "no" cannot wash away facts. Why was the Indian Army taken to China?

Sir Victor Sassoon: To protect British and Indian interests.

Mr. C. S. Ranga Iyer: Sir, that reminds me of the manner in which Mr. Gladstone interfered in Egypt. When the Egyptians had led a revolutionary movement to success—a non-violent revolutionary movement, this is what happened. Arabi Pasha was the leader of the revolutionary movement. Lord Morley, "Honest John" as they used to call him, who was then editing a newspaper called the "Pall Mall Gazette", instigated Gladstone's Government to murder Arabi Pasha by sending emissaries to the Sultan of Turkey. Lord Morley said, "the head of that revolutionary must roll on the carpet". And he said that if the revolutionary movement marched to success "the Fellah would throw off the mask". The same phrase was repeated by Gladstone in the House of Commons soon after when an army was sent to Egypt to deprive Egypt of her freedom under the same cover of protection of foreign interests".

Sir Victor Sassoon: That is quite different.

Mr. C. S. Ranga Iyer: That was how Egypt was deprived of her freedom. Sir, this annexation policy of the British was repudiated by no less a man than Gladstone himself when the Prime Minister was Disraeli. He condemned "the wild-cat" scheme of Imperialist aggression. But Gladstone himself carried out the "wild-cat scheme" when he succeeded Disraeli as Premier. And to-day you have a wilder cat scheme in China. Protection of foreign interests! Why should not the foreign interests clear out of China if the Chinese do not want foreigners there.

Sir Victor Sassoon: They put them there first.

Mr. C. S. Ranga Iyer: That is a very curious and very usual argument. The British put themselves here first and then they feed on the country, and then they say India cannot have Swaraj because foreign interests have got to be protected. It is the same old argument, the same old method of diplomacy by which Great Britain works. But, Sir, can the Honourable Member over there say why the Australians did not send their troops to China?

Sir Victor Sassoon: It was not necessary.

Mr. C. S. Ranga Iyer: Quite so. Not necessary to incur the displeasure of China, because when China is fully awake the Australians will be swept into the sea. Sir, it is either a question of fear, of cowardice or it is because of a lack of enthusiasm for the Empire and fraudulent Imperial methods. Sir, we were told the other day that Indian interests were also involved. But if a vote of this House were taken, and if the gentlemen who did not belong to this country abstained from voting, a Resolution would be carried in this House and endorsed by huge meetings in the country outside that Indians in China must be brought back. We would go and bring them back and give up our interests there. The Chinese belong to a great race of Buddhists with almost the same religion as many of us, who have almost the same sympathy that we have for Asiatic movements against Europe, and who are also in the same predicament that of fighting a foreign enemy. Therefore, Sir, if we had our own way we would withdraw Indians from China instead of sending Indian troops to keep the Chinese in chains.

Sir Victor Sassoon: No.

Mr. C. S. Ranga Iyer: The Chinese are kept in manacles, and when the Honourable Member says "No", I know that England is afraid of speaking the truth while dealing with China, because the Chinese have behind them the sympathy of the democratic world and in this democratic world there is no place for Imperialism. Mr. Ramsay Macdonald happily described this Imperialism as "imperious".

Sir Victor Sassoon: Is Mr. Ramsay Macdonald not in favour of British interests being protected?

Mr. C. S. Ranga Iyer: If he is in favour of protecting British interests it is because he is taking an Imperial and imperious view.

Mr. T. C. Goswami (Calcutta Suburbs: Non-Muhammadian Urban): Mr. Ramsay Macdonald is also an Imperialist. They all are.

Mr. C. S. Ranga Iyer: Sir, instead of consulting this House and taking the opinion of the people the Government are advertising Indians as a people who do not love the freedom of other people. Indian soldiers—I do not like to call them mercenaries—are sent to China to humiliate India in the eyes of the world. To humiliate and dishonour, that way alone can the British continue their autocracy in this country. A nation rising to self-respect with the sympathy of the outside world cannot be put down. England, Sir, is taking a far-sighted and diplomatic view in sending Indian troops to China. We have read and Honourable Members over there (pointing to the European Benches) have read all about the "Yellow Peril", about the Asiatic menace. They also know that it was the dream of Deshabandhu Das, the greatest Indian of modern times, to have a Pan-Asiatic Federation. (Hear, hear.) And they want to humiliate India in China so that any chance of a Pan-Asiatic Federation may be postponed. Because this Yellow Peril is a real menace, therefore India's humiliation was and is necessary. The Government are perpetrating one of the most terrible acts of bureaucratic diplomacy to humiliate India and once for all to cut at the root of that movement for a Pan-Asiatic Federation. It is not that Indian soldiers are absolutely necessary to keep up the British Empire in China, because soldiers can be sent from elsewhere. But no, India has got to be humiliated and nothing can stop the Government from humiliating the country. Herein lies, Sir, the secret of the Viceregal interference with the motion for adjournment of the House brought forward by the greatest authority in India to-day, namely, the President of the Indian National Congress. The Indian National Congress is certainly an undoubted and powerful enemy of every Imperialism, particularly British Imperialism and British domination, and naturally the voice of the Congress, the opinion of the country in regard to a thing that vitally affects the Empire in the East should not be placed before this House, and there comes the interference.

Sir, I want that this system, hedged in by all kinds of bureaucratic devices, must be removed; and for the removal of this system everybody is in favour, including my Honourable friend, Nawab Sir Abdul Qaiyum, on one condition, that his province will get the same benefit as the other provinces have got. There is nobody in this House, not even the nominated Members of this House, who are against the removal of this system. The other day Mr. K. C. Roy made a remarkable speech which would have been worthy

of any Member on this side of the House. He is a nominated Member but he has made a remarkable indictment of the Government in regard to army matters. He made a remarkable exposure of bureaucratic irresponsibility in regard to army affairs. Sir, that is an exposure which any Member on the Swarajist side would have been proud to make. And when a nominated Member comes before this House and makes a statement like that, what does it mean? It means that even the nominated Members feel that this system must be changed. My friend, Mr. Shyam Narain Singh, is not in his seat, but I am sure even Mr. Shyam Narain Singh, official though he be, is in sympathy, in full sympathy with this movement, that he is in full sympathy with the idea of removing the present system. For, Sir, he is an honest man. I am not here to say what my Indian official friends have said to me, because I have no right to disclose private conversations, but I may say, Sir, that Indian Members who are seated on the other side are frankly enthusiastic about the removal of this system. If there were a free vote on the question of the change of the present system, that Resolution would be carried by an overwhelming majority including Indian official Members. When such is the case, why should not Lord Birkenhead devise the same ways and means which his countrymen devised for the Colonies? Why should he say "Compose your communal differences". Did not Lord Durham go to Canada? Were there not communal differences in Canada? Did not the Canadians fight like cats and dogs in the streets? Was there social intercourse between British Canadians and French Canadians in Canada? Did not children organise themselves in the streets and fight each other? Sir, Lord Durham says that only in one place they met and that was in the witness box and there too for the utter obstruction of justice. Things are not so bad in this country. We meet our Muhammadan friends; we sit together; we discuss the future of this nation; we also vote together. Yet Lord Birkenhead says "Compose your differences". They try to create differences and then say "Compose your differences. Where differences actually existed and while the differences had led to a perilous condition, they said; "the only solution for these differences is the introduction of responsible government". My friend the Publicity Officer over there is all ears and I hope, if he has not read it already, he will read Lord Durham's Report and, when he compiles his next volume, will make a point of saying what Indians feel on these communal differences.

Mr. J. Coatsman (Director of Public Information): On a point of personal explanation, Sir, may I say that I have read Lord Durham's Report probably as often as my Honourable friend opposite?

Mr. C. S. Ranga Iyer: I am very glad to hear, Sir, that the Honourable gentleman has read Lord Durham's Report.

Mr. President: The Honourable Member may ask him to read it again.

Mr. C. S. Ranga Iyer: I will not only ask him to read it again but to mention, when he writes his next annual report, certain applications of these remedies to the Indian situation as urged in this House. Sir, I have gone through this book "India in 1925-26." I find there all convenient things which suit the Government. It is supposed to be a presentation, an honest presentation of the Indian case to the British Parliament. Important issues are not brought up there at all, such as for instance, the solution of the communal problem. Sir, the solution was presented to this House. Out in the country we had also placed the solution, whether, for instance, the British people in India should not deal with the Indian question in the

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same manner in which Lord Durham dealt with the Canadian question. There is no reference to that by the gentleman who seems to have read and re-read and inwardly digested what Lord Durham wrote. He seems to have a wonderfully short memory or perhaps he does not believe in putting in his book most important facts. However, I hope that when he writes his book next time he will remember more important things, not the speeches of the gentlemen who happen to be his favourites, but more important things concerning the very acute problem in this country, namely, the solution of this communal problem. Lord Birkenhead says "Compose your differences" and I hope the Honourable gentleman who said he had read the Durham Report without making use of it, who did not make a reference to it even when it was made use of in this House, will mention our case in the Government publication.

Sir, my Honourable friend, the Publicity Officer, in his new book has referred to the question of a navy for India, "the Royal Indian Navy." And what steps have the British Government taken within the last 150 years for the promotion of a Royal Indian Navy? Before the British came, India had her own mercantile marine; Indian ships rode the oceans; there was vigorous trade carried on in Indian ships by Indian and Phœnician merchants. I would ask Honourable Members who doubt the accuracy of this statement to read Sir Dinshaw Wacha's and other statements on the subject. But after the coming of the British, what happened to the Indian ships? They are talking, after 150 years, of a Royal Indian Navy. And the Publicity Officer quotes Lord Reading's inaugural address to the Council of State when making the announcement in which he says "he justly emphasised the great importance of this new departure." Great importance of this new departure indeed, after 150 years of British rule! India had a very big sea trade and India has a very long sea coast, and still it did not occur to the British Government that India could have an Indian Navy earlier than this. Further we are told "What are the potentialities of this new departure?" What have the Government done to train Indians for a navy career? Sir, there is tremendous enthusiasm in England's youths for a navy career because opportunities are given. Here no opportunities are given and they say enthusiasm is dead. It is a great pity, Sir, that when opportunities should be created, no such thing is done—a foreign government can never be expected to create opportunities for the children of the soil. After mentioning the recommendations of Lord Rawlinson's Committee, His Excellency Lord Reading continued:

"I need not emphasise to the Honourable Members of this Chamber the significance of this decision."

Very big words—"significance of this decision"; and we do not know what significance it has for the numerous unemployed middle classes. A Resolution was brought before this House and carried about the question of unemployment of the educated classes. The Government was asked to give openings for the unemployed educated middle classes; but no openings of this kind are given so far and no such intention is at any rate visible. Then Lord Reading says "It embodies an important principle." Everybody knows that the principle is very important, though a British Government in India and His Excellency the Governor General discovered the importance of the principle only after 150 years of British rule and fifty or sixty years of Indian agitation over the same. "Thinking men in India

have long desired the creation of an Indian Navy for India capable of defending her ports," observes His Excellency, "and her harbours and her commerce." But what have the Government done to meet what the thinking men of India, as His Excellency admits, have always wished for and sought after? To quote Lord Reading "A laudable ambition will now have its scope". If, Sir, the Honourable the Home Member stands up from his place,—(absent though he is because debates such as this do not seem to concern him—it is much better not to listen to them, so that the Government need not meet the case placed before them by the representatives of the people)—if the Honourable the Home Member rises in his place and announces or assures the drawing up of a scheme for the Indian people similar to the scheme that the Japanese Government had drawn up for the Japanese people, then, Sir, on that one offer alone, it would not be necessary for us to reject the Finance Bill. But they would rather have the Finance Bill opposed or rejected and then certified. They are not in a mood to listen to us, and Lord Birkenhead talks of "fidelity and friendship"! I expect the Government to show us fidelity; I expect the Government to show us friendship, and give to India the same opportunities which the Japanese Government gave to Japan. Sir, both in regard to the army and in regard to the navy, Japan introduced all facilities that any self-governing country would have introduced with a view to move with the times. But the British Government have not done anything of the kind here. After a full century and a half, we are told that we are unfit for the army service and army control alike. That means, if it does mean anything at all, that it took 150 years to emasculate a martial race to such an extent as to make them fit for this double disqualification.

In the so-called conquest which the British have made in this country if they are not ashamed to call a fraud a heroic conquest, it is my shame to claim that it is through my countrymen that the country passed into alien hands. The first move taken was to compel all the Indian Chiefs to disband their forces, commute military service rendered by the feudatory chiefs into a tenure of *peshcush* or money payment. In 1796 the Indian troops were taken across the black water to fight Britain's enemies. In 1828 General Lord Combermere remarked:

"It was impossible to avoid marking the superiority of the sepoy over the European corps in steadiness and regularity of movement."

The Honourable Mount-Stuart Elphinstone, Governor of Bombay in 1819—27, remarked:

"The Indian soldiers' freedom from gross debauchery is the point in which the Hindus appear to most advantage. If we compare them with our own the absence of drunkenness and of immodesty in their other vices will leave the superiority in purity of manners on the side least flattering to our self-esteem."

In 1832 Major-General Worsley said:

"It will be no disparagement of any other troops to say that hitherto the Native Army of India has never been surpassed for fidelity to the Government and attachment to their officers nor yielded to those of any other nation in point of discipline and effective valour."

Now, I ask, Sir, why such a competent army, why such a competent race with martial qualities, why such competent soldiers, such brave and chivalrous men should not be given a chance to officer the Army in India? "Indians make good soldiers, but bad officers" is a fiction which cannot carry weight, especially when one remembers the tribute paid by great

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Englishmen. They want to deny us the opportunity we seek because they want to perpetuate our thralldom, and if they persist in that policy,—(the Report of the Indian Sandhurst Committee is not yet published, and even if it is published there is no knowing what they propose to do in regard to Indianisation of the Army), if they persist in that policy, they do so only to keep us in bondage,—a phrase which my friend Sir Victor Sassoon would not like my using for China but which, I am sure, he would not mind my using for India. Before the Select Committee in 1882 on the Affairs of the East India Company, Major-General Malcolm said :

“ I am not of opinion with many that we incur any risk of a political nature by imparting such knowledge to the Natives, because the Natives have proved in the corps that they have perfect means of becoming instructed and instructing others in the branch of military force (Artillery Branch).”

Sir, the natives of England had a good deal to learn from the natives of India. Sir, the natives of England are now denying to the natives of India opportunities, even though the representatives of the natives of England have paid a high tribute and recorded the superior competence of the natives of India. I will not go through all the various acknowledgments of the valour displayed by the Indians in their fighting capacity and the enormous services rendered by them to the British Government which has not the least sense of gratitude,—still they distrust, distrust, distrust the Indians. I would only invite the testimony of the Marquis of Tweeddale on the fidelity of the Indian soldier.

Sir, in 1868, Japan did what the English could have very well done in this country. In 1868 the garrisons now designated as headquarters or divisions were organised as units complete with infantry, cavalry, artillery, engineers and commissariat, and the Imperial Army came to consist of a field force of 7 divisions, fortress artillery, railway corps, and colonial militia, ready, if need be, for service beyond the seas. The net result of all these efforts was that in 1894 Japan was able to oppose China with an army of more than 240,000 trained men, in addition to 8,495 irregulars and 100,000 coolies. Japan was not slow to profit by that campaign, and after it was over, she did not slacken her endeavours to bring her fighting forces to the highest pitch of efficiency. The term of service required from her conscripts was slightly extended and in 1896, the colonial militia of Hokkaido was formed into a division, and five new divisions were added, making the total thirteen. A little later the cavalry and artillery, which had previously belonged to the divisions, were converted into independent brigades, with the object of increasing their freedom of action, and the efficiency of coast defence was improved by the addition of new troops to the fortress artillery. Great attention was paid to the medical service, nor was the importance of good material overlooked. Better rifles were provided for the infantry, the artillery were armed with quick-firing guns, and with the introduction of the manufacture of guns of the largest calibres in 1902, Japan's domestic resources became equal to the task of supplying nearly all the armaments required by her army. Then, Sir, comes the question of the Japanese officers. Japan has certainly progressed without the help of the English. The English did not go there to perfect the Japanese army, and if English, German and other European experts were sent for to train the army, they were paid for their services rendered by them, and therefore, Sir, if the English had not come to this country, it is idle for Lord Birkenhead or

for anybody to say that we would not have been able to march with the times. It is entirely improper for them to say that an Indian army as competent, as fit, as useful, as energetic, as modern, and as up-to-date as the Japanese army would not have come into existence. Sir, they deprived us of all our opportunities; they deprived us of our power to reform this race; they deprived us of the power to have everything our own way, and then say, if we Englishmen had not come to this country, how could you develop your army, how could you have railways? Sir, all that I would say is this. Everything that has happened in Japan would have also happened in this country which has been self-governing from millenium to millennium and whose fitness for self-government cannot be questioned by people who are not competent themselves. Sir, I question on the floor of this House the competence of the English people to govern this country or their own country for the matter of that. ("Hear, hear.") Their own people question their competence. Do we not hear of general elections and parties in power being thrown overboard? Why should a party in power be thrown overboard if that party retained public confidence and represented the public opinion? The very fact that in a general election parties are thrown out of power and new parties are installed shows that the British people have the capacity to commit mistakes. And that is the right of self-government. It is no use Lord Birkenhead and others saying: You will commit mistakes. All that I can say is that Lord Birkenhead himself committed so many mistakes that he had to live in the wilderness, and to leave office. His party was defeated. Even if we commit mistakes, the Europeans are not the judge: the Indians are the judge. If, Mr. President, you and your party commit mistakes, then the party of somebody else, say, Sir Purshotamdas Thakurdas, can come into power. If his party commits mistakes, the party of Sir Hari Singh Gour can come into power. (Laughter.) It is not for the gentlemen over there to be in power and say: you commit mistakes. Yes, we want the right to commit mistakes. That is what Swaraj means. (Cheers.) Sir, I have a quotation with me here in which Bernard Shaw describes Ireland's right for Home Rule to be as good as England's. It is difficult for me to read the entire quotation from that beautiful book "John Bull's Other Island", because I do not wish to wound the susceptibilities of the gentlemen sitting over there, but I will read a part of it, not the objectionable or personal part of it:

"Even if Home Rule were as unhealthy as an Englishman's eating, as intemperate as his drinking, as filthy as his smoking, as licentious as his domesticity, as corrupt as his election, as murderously greedy as his commerce, as cruel as his prisons and as merciless as his streets, Ireland's claim to self-government would be still as good as England's."

Well, Sir, that is an Irishman's statement—an Irishman who is honoured by Englishman, who has got many admirers amongst Englishmen. Well, Sir, the same can be said in regard to India's claim to self-government.

I shall now tell you, Sir, how the Japanese progressed with their Navy. The Publicity Officer, whom I do not find in his seat, could compile a book of what you said, Sir, and what others said in regard to the development of the Indian Navy, etc. At any rate he could very well have mentioned in his book "India in 1925-26", which is printed at India's cost, the kinds of criticisms which were levelled against the Royal Indian Navy scheme of the Government. I do not find representative Indian opinion quoted in this book to that extent to which it should have been quoted. If, Sir,

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some Indian opinions are quoted, those are opinions which suit the Government, and Members who applauded the Government or endorsed their methods are of course quoted. I condemn the publication of this book and I want the abolition of the Publicity Office which is really a Duplicity Office. Sir, you said, when you were our leader here—and we followed your lead in subsequent years, and in every debate on the Budget, on every possible occasion,—you said that India should have a Navy even as the Japanese had. The Japanese Navy is not of very ancient growth. Japan resembles the United Kingdom. Japan is just an island on the Pacific just as England is an island on the Atlantic, and it might be said that their race is as fond of the sea, living by the sea. And they had a navy, a very old navy indeed but the truth is Japan's navy is of recent growth. We had our ships before the British came here and those who live on the seaside are lovers of the sea. And if we had our opportunities, if we had the facilities that every free country in the world has, if we had the opportunity to move with the times as we would have had if we were not kept in chains, if opportunities were not denied to us, we would have progressed even as the Japanese progressed:

“The Japanese Navy is of comparatively recent growth, its beginnings dating only from the middle of last century. The stimulus to its development came from outside. Early in the seventeenth century the Tokugawa government had stifled the maritime progress that was being made by forbidding the building of large ships in the country and the undertaking of foreign voyages by Japanese bottoms, and this policy of isolation was maintained for more than two hundred years, until it was broken down by the two visits paid to Tokyo Bay in 1853 and 1854 by United States warships under Commodore Perry. These proved the forerunners of the opening of commercial relations with foreign countries. On the advice of the Dutch, who enjoyed commercial privileges denied to all other nations except the Chinese, the Shogunate thereupon resolved to develop a Navy on the European model. A training school for seamen, opened at Nagasaki in 1855 under Dutch instructors, was soon followed by a naval school at Tokyo; and two ships obtained from the Dutch, together with one presented by Queen Victoria, formed the nucleus of a fleet. A Japanese warship crossed the Pacific for the first time in 1860, and the first steam vessel of war built in Japan—a gunboat of 138 tons—was launched in 1866.”

All these years the British were in India, but no such scheme was launched. No such emulation inspired them. They did not want India to have a navy. They did not want Indians to be a nation: And perhaps they hoped that the native race would perish even as the Australian natives have perished. And if the native race has not perished, it is because the natives of England are not superior to the natives of India. Sir, it was for them to follow what Japan did in the sea. If they had not the imagination to follow, it was for them to read the Japanese reports and to follow the same thing. It was for them to change the angle of vision and not talk like Lord Birkenhead, after 150 years, of friendship and fidelity. In Japan:

“Young officers were sent to Holland for naval instruction.”

Our officers could have gone to England because we are supposed to be in a privileged position. As somebody said: “East is East and West is West.” But I say “East plus West is much the Best”. But the Government said “never the twain shall meet”; they did not want to train our men, they did not want that we should grow to their stature because then they could not exploit this country. Even now, Sir,

if the Honourable Member responsible to this House, stands up in his place and says he will follow the Japanese scheme and outline a scheme for us as the Japanese Government have done, we should not only pass the Finance Bill, not only withdraw our opposition to the Finance Bill, but much of the growing distrust in the country would cease. Much of the estrangement between the Europeans and the Indians that is growing in the country will vanish. But they will persist in their policy only because they do not want to give us opportunities. In all "friendship and fidelity" I want the Japanese methods to be followed by the Honourable Member for whose benefit I place them before the House. Young officers can be sent to England even as young Japanese officers were sent to Holland for naval instruction.

"French aid was enlisted for the planning and construction of a dockyard at Yokosuka . . ."

English aid can be easily pressed into service:

"and the services of a British Naval Officer . . ."

If you please, the Japanese went in for the service even of a British naval officer. While there are so many British naval officers, as plentiful as blackberries, they are not available for India's education, are not available for throwing open opportunities for the children of the land:

"... Captain, afterwards Admiral Sir, Richard Tracey—(and the services of other naval officers) were secured to organize the naval school at Tokyo."

After 100 years of British rule we have not got a Naval School in India though India has got as large a sea board as England herself (*Maulvi Muhammad Shafee and Mr. B. Das*: "Much more"), and much more as my friends Maulvi Muhammad Shafee and Mr. Das say from behind:

"The expansion of the Navy (in Japan) began in earnest in 1871."

The British people came to this country earlier and their suspicions and doubts about their own hold on this country ceased after 1857 and therefore if they really felt not like "crocodiles" but like men, (Laughter), if they really felt for the teeming millions of India, for the masses of India, they would have introduced all these facilities in this country. Sir, time was when our English friends used to say of these educated classes, "Do not care for these educated classes." They used to tell their people at home—that is what their newspapers used to write in this country—they used to say, "The educated classes are only a microscopic minority. They are out of touch with their people. It is we who are the *Ma Bap*." (Laughter.) I want to know what the *Ma* of the British bureaucracy and the *Bap* of the British bureaucracy has done for its adopted children. (Laughter.) Some of my own countrymen used to say in good faith, in admiration for the Britisher, in utter belief in their own professions, "We are the children of British rule". Sir, that phrase was used by Ranade—"Children of British rule". That was the extent to which friendship and fidelity went in this country. I know we are the children of our own civilisation. I know we have a genius of our own. I know that we have got a record brighter, more beautiful and more glorious than the record of any nation on the face of the earth. But the extent to which Indian fidelity and friendship could go is represented in that phrase, "Children of British rule," and what have these alien *Ma Baps* done for the children of British rule? Is there a single Naval School in this

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country? Has India got a Navy? Are Indians naval officers? And Lord Birkenhead says without shame or remorse, "What will happen if the Britishers withdrew from India?" What will happen but advertisement of the failure of the British in India? What happens by their persisting in this country? If they remove themselves bag and baggage from this country, I am sure, Sir, that we will not be so helpless as their own ancestors, the Britons, were when the Romans went away from their country. I was saying that the expansion of the Navy began in earnest in Japan in 1871. It has not even begun in earnest but for the cursory announcement of the Publicity Officer, the reproduction by the Publicity Officer of an announcement about the Royal Indian Navy and "the laudable ambition," to use Lord Reading's words, which "will now have its scope." I want to know, Sir, if the British Government in 1927 are prepared to do what they failed to do up to now and what Japan did in 1871:

"The expansion of the Navy began in earnest in 1871, when the Imperial Government found itself able to muster seventeen ships, mostly of wood. Two years later a second naval mission came out from England under Commander, afterwards Vice-Admiral Sir Archibald L. Douglas, and in 1875 and 1876 two vessels of 896 and 1,450 tons respectively were launched from Japanese yards. In 1875 the *Fusoh*, an ironclad of 3,717 tons, and the *Kongo* and *Hiyet*, cruisers of 2,248 tons, were ordered from Great Britain, and in 1878 the *Seiki*, a cruiser of 1897 tons, built in Japan and manned solely by Japanese, for the first time carried the Japanese flag into European waters."

Japanese flag into European waters! There is no Indian Navy to carry the English flag in Indian waters, much less an Indian flag in Indian waters. My moderate friends many of whom are not in this House because moderation is fast becoming extinct (Laughter)—my moderate friends said, "You might fly the British flag, but why don't you give us opportunities?" and the extreme friends who wanted to put the Government on their own trail were prepared to accept the flying of the British flag from Indian ships. What have the Government done? They have given us no opportunities. They say that we have the great right of flying the White Ensign!

"Let me dwell for a moment upon two features in the announcement" says our Publicity Officer dealing with the Viceroy's announcement about the Indian Navy.

"To the imagination of those, who understand the traditions of the British Empire, the privilege granted to the Indian Navy of the future to fly the White Ensign should appeal with special significance . . ."

Mr. B. Das (Orissa Division: Non-Muhammadan): May I rise to a point of information? Have the Government Benches non-co-operated? They have all left.

Mr. C. Duraiswamy Aiyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): They have cleared out bag and baggage.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): There are Members representing the Government.

Mr. C. S. Ranga Iyer: Sir, Sir Alexander Muddiman, at any rate, is not willing to non-co-operate. The emptiness of the Government Benches is filled by the Leader of the House.

Sir Darcy Lindsay (Bengal: European): Sir, I move that the question be now put. Many of us . . .

Mr. President: Order, order. The Honourable Member is technically in order in moving the closure in the midst of a speech, but it will create a not altogether desirable precedent which I am not going to establish in this Assembly. I know of no instance in which closure has been accepted by the Chair during the midst of a speech and I do not want to make a departure. I should like to add that, even if all the other Honourable Members are on one side and the Honourable Member (Mr. C. S. Ranga Iyer) is in the minority of one, the Chair has a special responsibility to see that his rights are protected. I hope, however, the Honourable Member will not abuse the indulgence which has been given to him.

Mr. C. S. Ranga Iyer: Sir, I believe it was Mr. Gladstone who spoke for two days on one occasion and we are supposed to follow the best British example in this country. (Laughter.) All that I had said the other day was that I would speak for three hours. (*An Honourable Member:* "Divide.") I find the Honourable the Leader of the European Benches saying "Divide", because, so far as matters political are concerned, the European and the bureaucracy are tarred with the same brush.

Sir Darcy Lindsay: Sir, the Leader of the European Benches has listened very patiently for nearly three hours and I do appeal to my Honourable friend to bring his remarks to an early conclusion.

Mr. C. S. Ranga Iyer: People in this country have very patiently been putting up with this bureaucracy and irresponsibility for the last 150 years and the Leader of the European Group in this House has been reaping that benefit of European autocracy in this country. Therefore, as against 150 years of patient putting up with autocratic rule, we expect the gentleman to exercise a little more of patience, and if he is incapable of it, there is nobody to prevent him from leaving this House. (Laughter.) But I am not going to waive the right of speaking out my mind on a question which affects our rights. My only privilege is to go on speaking and speaking in the hope that the walls of the bureaucratic Jericho will fall, even as one of those bricks fell in this House. (Laughter.)

Mr. W. A. Moore (Bengal: European): I move that the question be now put.

Mr. C. S. Ranga Iyer:

"To the imagination of those",

says the Publicity Officer,

"who understand the traditions of the British Empire, the privilege granted to the Indian Navy of the future to fly the White Ensign should appeal with special significance."

There was no dispute at all as to what ensign should fly. But the dispute was that there should be an Indian Navy. The Japanese flag flew over the Japanese ships when the Japanese Navy was brought into existence, and though Indians have been willing to fly the White Ensign, opportunities have been denied to Indians. Not that it is a great privilege to fly the white ensign

The Honourable Sir Alexander Muddiman: On a point of order, Sir. Standing Order 29 lays down that a Member, while speaking, should not use his right of speech for the purpose of wilfully and persistently obstructing the business of the Assembly. I submit to you, Sir, that this speech has gone beyond the limits of reasonable discussion.

Mr. President: The Standing Order says :

"A Member, while speaking, shall not use his right of speech for the purpose of wilfully and persistently obstructing the business of the Assembly."

I am not prepared to endorse the suggestion that the Honourable Member is using his right of speech for the purpose of wilfully and persistently obstructing the business of the Assembly. I know the Honourable Member is speaking very feelingly and perhaps the Home Member himself would do the same if he were standing in place of the Honourable Member (Mr. Ranga Iyer).

Mr. C. S. Ranga Iyer: We are deeply grateful to you, Sir, for protecting our privileges as you have always done. That is the only privilege that we have under the Montagu Act of electing our own President who represents in himself the will of the House. I was saying some uncomfortable truths about the Royal Indian Navy. The Home Member has no arguments to meet our case and naturally he wants to burke discussion. Sir, we are told by the Publicity Officer who commends this great privilege of flying the White Ensign on boats which have not yet come into existence and which may not be manned by Indians at all.

"India by this is directly admitted at the outset of her naval career to share in the record of the centuries of proud and gallant traditions for which that Ensign stands."

Traditions indeed! India must pay for the Royal Navy, not an Indian Navy! I consider that there is nothing to encourage us in all the statements that the Government have made in regard to the Royal Indian Navy. They have not told us, what we except of them, that this Royal Indian Navy will be for India what the British Navy is for England, and that it will be entirely manned by Indians. Complete Indianisation must begin straightaway. Indian students should be sent to Europe, to England and other countries, to all the countries which my Honourable friend, Mr. Jinnah, visited as a member of the Skeen Committee, and if need be to countries which he did not visit. Indians must be sent to all those naval schools. Money must be found by Government. A Government which can find money for the over-fed I. C. S. in India, a Government which can find money even for the unborn child of an I. C. S. man's family, that Government can certainly find money to institute free scholarships for hundreds and thousands of Indian youths and send them to Army and Navy Schools and Colleges in other parts of the world and then they will come back as great soldiers and Naval officers, as experts and in a very short time, in a shorter time than Japan itself, India will have an army. India will have a navy manned by Indians, managed by Indians, solving the unemployment question here. And when England is in danger, when some foreign invader puts England in peril—for have we not heard that even in the last War without India's help England would not have won the war?—when such a peril arises even in the life of England, the Indian Navy will go to protect the shores of England, because, Sir, Indians are a very grateful people. (Hear, hear.) Trust begets trust, gratitude begets gratitude, but distrust begets revolution. Revolutionary ferment has not yet come into existence in this country only because the Indian, the grateful Indian, still hopes that the Government will do the needful, not make a formal conciliatory gesture, but treat India as Englishmen would like the English Government to treat the English people, as the Canadians would like the Canadian Government to treat the Canadians. That is what we want the British Government to do, and for their benefit

I shall tell them what the Japanese did. "A large naval programme was introduced in 1882". Instead of dilating on the glorious possibilities of flying the White Ensign I expect Englishmen to follow the example of Japan:

"A large naval programme was introduced in 1882 and extended in 1886, and at the outbreak of the war with China, in 1894, the fleet included 28 ships with a displacement of 57,600 tons, besides 24 torpedo-boats. The expenditure on naval construction from 1871 to 1893 amounted to £24,000,000."

I do not want to go fully into the evolution of the army and navy in Japan, but I would make a present of this Book "Japan, the Rise of a Modern Power" by R. P. Porter and other books also to Government. If necessary, they should send a commission of enquiry to Japan with representative men of both sides of the House to go into the question of how the Japanese introduced and adopted modern methods in their country, how they made their army and navy move with the currents and movements of modern times.

In conclusion, the Home Member imagined when I was developing my speech, that I was obstructive. Obstruction is constitutionally right. Whenever you tell them that these are the grievances of the people, they say, you are obstructing. Whenever you endorse the Government ways, Government say, you are co-operating. This is neither obstruction nor co-operation, and if I want to obstruct I know how to obstruct. This is not obstruction, but this is only the presentation of the Indian case on an occasion of this kind with as much brevity as possible, for the history of British omissions in India cannot be more briefly put. My own friend and leader, Pandit Madan Mohan Malaviya, took a much longer time, last year, and I will only be following a precedent when I say that I am entitled to have a full say on the matter. But as I believe that others will follow, as I believe that the great Pandit himself will place his views before this House, and as I hope that the House will go into this question, because it is a very important question, I do not want to prolong my observations. Sir, I hope that the House would follow the lead that Panditji gave in 1924 and make a point of rejecting the Finance Bill, if it is in its power to reject, if not to place on record what it deems fit. For myself I have the consolation that my action is in agreement with the mandate of the Indian National Congress. Until this bureaucracy disappears, until this bureaucratic system shares the fate of other bureaucratic systems in the world, there will be no peace in this country, either to the people of India or the Princes of India both of whom are enslaved and exploited. Slaves are exploited and those who are unwilling to be slaves are made to abdicate. In the case of the people, they are flung into the prison and Princes are flung into exile. This system which stands between India and the light of the world ought to disappear. (Applause.)

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muharraman Rural): In the course of the very interesting and lengthy speech which my Honourable friend, Mr. Ranga Iyer, has just completed, he very rightly drew attention to this question of the Royal Navy in connection with the consideration of the constitutional issue. At the moment I propose to discuss the constitutional side of the naval question as it is being discussed to-day, perhaps this very day, in the House of Commons. It is to my mind a distrust of this House and an attempt to take away some of the slight powers that this House possesses to prevent it from discussing the question of the Royal Indian Navy here first and to have it in the House

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of Commons afterwards. We find, however, that that question has gone through two or three stages in the English House of Commons and in the course of the debate in London it was stated that the Indian Legislative Assembly will get its opportunity later on to discuss the subject of the Indian Navy by way of consequential legislation. Here are the exact words of Lord Winterton as given in a press message appearing in the *Pioneer* of the 12th March, the message being dated London, the 9th March.

"Earl Winterton emphasised that the Bill could not come into effective operation in India without consequential legislation by the Assembly and presumably when the Assembly discussed the Bill there would be full opportunity to discuss the whole question of the Indian Navy. Moreover, the new Indian navy would be exactly in the same position in relation to the Assembly as the Indian army",

—which is very unsatisfactory indeed—

"he commended the Bill to the House because to the best of Lord Birkenhead's belief it was desired by the people of India."

Each one of these sentences opens out an important aspect of the question of the Royal Navy. As I said just now, I do object to the question of the Indian Navy being promulgated first in the House of Commons and not in this Honourable House when we are sitting as an assembly of elected representatives of the people of India. But, Sir, towards the end of that paragraph which I have just quoted the Under Secretary of State for India mentions that the Bill has to the best of Lord Birkenhead's belief the sanction of the people of India. Now, Sir, the only place I have been able to look up where His Lordship could have gathered this impression is the Report of the Indian Mercantile Marine Committee where in Chapter 5 dealing with the Royal Indian Marine the Committee say that:

"it is the almost unanimous desire of all Indian witnesses that the creation of an Indian navy capable of defending the coasts, harbours and commerce of India should proceed"—

—mark the words—

"hand in hand with the development of an Indian mercantile marine and we strongly recommend to Government that the reorganisation of the Royal Indian Marine into such a service shall be undertaken with the least possible delay."

Sir, the Government of India are in the habit of incorporating into executive decisions only those recommendations of the Committee which suit them, ignoring others which do not happen to meet with their approbation. Here, Sir, is a matter where the Government of India have adopted partly the proposal which was meant to be adopted as a whole, namely, that the Indian Navy should be created hand in hand with the development of an Indian mercantile marine. Apart, therefore, from the fact that we have been prevented from discussing *ab initio* the question of the Royal Indian Navy, we are being presented by the Government of India with a *fait accompli*, the Royal Indian Navy being given as a great concession to the people of India. We are asked to enjoy the privilege of flying the White Ensign on ships which are not Indian ships, on ships which may not have Indian officers for several years to come. We are asked to enjoy the privilege of being participators in that tradition which the British Navy has built up for itself. How is it possible for this country to do so when we find the Government ready to take up only those parts of the Marine Committee's recommendations which suit them and to ignore the others? Even in the case of taking up those parts which meet with their favour, they tell

the people one thing and act in another way. We were told that the question of the Royal Indian Navy was considered by the departmental committee appointed to prepare the scheme for the reorganisation of the Royal Indian Marine; that this country will get from the British Navy a loan of four sloops which were essential in order that the Indian navy might begin to function. These are the words:

"The Committee assume that four sloops will be provided by the Home Government on loan to the Indian Navy. This would have meant so much less capital expenditure for India".

Now, we find the Under Secretary of State informing the House that it is not possible to provide four sloops that were promised to India on the ground that no suitable sloops were available in the British Navy. Now, Sir, it is very strange that this information was not brought up at the time when the promise was made to the Government of India. That is a very strange procedure, stranger than the one they have adopted in connection with the recommendation of the Committee to which I made a reference in the early part of the speech. I say, Sir, that you cannot have an Indian Navy in this country without your having an Indian mercantile marine. There is no country in the world to-day, nor has there ever been which had a navy or which has a navy without its own national merchant marine to act as a second line of naval defence. The attempt is here made, as was brought out by one of the Labour Members in the House of Commons the other day, to put on the Indian revenues certain of the burdens which have so far been borne by the British Treasury in connection with the British Navy. However, we in this country would be quite prepared to have a navy of our own and to reduce the burden on the British exchequer, if we could have the navy, not on our own terms though we should be entitled to that, but on terms suggested by a committee appointed by the Government of India, terms which put before the country a simultaneous development of the Royal Navy with the development of the Indian mercantile marine. With regard to the Royal Navy, the mind of the Government of India, as I said before, is already made up, and it would appear that the mind of the Government of India is also made up with regard to the question of an Indian mercantile marine, but in a different sense. So far as the Government are concerned, they are quite prepared to give us a navy. So far as the mercantile marine is concerned, they are not prepared to go the full length that was recommended by the Mercantile Marine Committee. And the whole of the intention of the Government of India was laid before this House and the public in India last year on the 19th March when the Honourable the Commerce Member spoke on a Resolution dealing with the subject. To my mind, Sir, the proper thing would have been to scratch the Indian Navy if you were also going to scratch the Indian mercantile marine. It will be said, Sir, that the mercantile marine was not scratched. (*Several Honourable Members*: "Scrap, not scratch.") Either will do. It might be said, Sir, that the Government of India were doing their bit to develop the Indian mercantile marine when they provided training facilities by putting up a training ship. But here again they are doing only a portion of what the Mercantile Marine Committee suggested. While they are prepared to accept the whole of the Indian Navy recommendation of the Mercantile Marine Committee, with regard to the other recommendation they are only prepared to go a very little length, though it is the definite finding of that Committee that the mere provision of training facilities is not enough to develop an Indian

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mercantile marine. The Committee say that it is their view that something more is required beyond the provision of training facilities; and that something more is, as the Committee has recommended, the reservation of the coastal trade of India to Indian ships. I do not see, Sir, how you can have an Indian Navy without an Indian mercantile marine. There is, as I said before, no country in the world which would think of having a navy without merchant shipping to back it up. It is the merchant shipping that will provide the reserves of men and ships in case of war. The personnel of the mercantile marine would be the field from which the Government could recruit its naval officers in time of need. Added to that we would obtain the full benefit of the provision of facilities by a training ship. But instead of going the full length recommended by the Mercantile Marine Committee the Government of India decided, and their decision was put before this House by the Honourable the Commerce Member, that the Government of India did not want to accept the recommendation of the Mercantile Marine Committee in so far as the coastal trade reservation was concerned.

Now, Sir, in order to point out that the grounds on which the Government of India refused to accept the recommendation of the Mercantile Marine Committee are unsound, I propose, with your permission, to examine at some length the speech which the Honourable the Commerce Member made in connection with the subject of the coastal reservation as recommended by the Committee. I do so, Sir, because I feel that the spending of India's money—and here comes in the Finance Bill—on the Royal Indian Navy is not justified unless the Government are prepared to take up measures by spending more money if necessary, to develop an Indian mercantile marine. The two things to my mind go together. It is very fortunate, however, that the Mercantile Marine Committee have proposed a method by which the mercantile marine could be developed without the Government of India having to spend money in the early stages of development of shipping in the coastal trade. That is, Sir, the reason why I hope at this stage you will permit me to examine the question of the development of the Indian mercantile marine and the reasons of Government for not accepting the recommendation of the Mercantile Marine Committee on grounds which to my mind . . .

The Honourable Sir Basil Blackett: On a point of order, Sir, I should like to ask, while the general question of the mercantile marine may be in order, whether an examination in detail of the question is not beyond the bounds of relevancy.

Mr. President: I do not think the Honourable Member can really do justice to that big subject in a speech on the Finance Bill. If he really wants the question to be thoroughly examined by this House the best course for him to take is to put down a Resolution on the subject. At the same time I must observe that the general criticism of the policy of the Government of India is perfectly admissible, but I would ask the Honourable Member not to enter into details.

Mr. Sarabhai Nemchand Haji: With your permission, Sir, I will not go into the details of that Committee's report, but if I may say so, I have a right to examine the reasons under which the Government of India refused to accept one of the recommendations of the Mercantile Marine Committee while accepting another recommendation which requires the spending of India's money.

Mr. President: What object has the Honourable Member got in doing so? Does he wish to oppose the Finance Bill or to support it?

Mr. Sarabhai Nemchand Haji: Well, Sir, so far as this particular question is concerned, I do feel that at this stage you will allow me to examine the grounds.

Mr. President: The Honourable Member does not answer my question. What is the object underlying the examination of this question at this stage? Does he wish to reject the Finance Bill or to support it?

Mr. Sarabhai Nemchand Haji: Well, Sir, I would certainly support the Finance Bill if I found that the Government of India was amenable to the acceptance of those recommendations which the Mercantile Marine Committee has made . . .

Mr. President: The Honourable Member knows the position of the Government of India in the matter; it has been definitely stated on the floor of this House by Sir Charles Innes more than once.

The Honourable Sir Charles Innes (Member for Commerce and Railways): I should like to add, Sir, that a day was reserved for the discussion of this subject in the Session of the Assembly last autumn, but at the specific request of various Members it was not taken advantage of.

Mr. President: I would suggest to the Honourable Member to consider whether he should not raise the whole question of an Indian mercantile marine and get it thoroughly discussed by a specific Resolution instead of dealing with it in this manner. I know it is a very pet subject of the Honourable Member and that he takes every opportunity of bringing it forward; but I would ask him not to take up the time of the House at this stage by discussing the details of that question.

Mr. Sarabhai Nemchand Haji: As I was saying, I am quite prepared to support the Finance Bill in the hope that the Government of India will, in view of this question of the Royal Indian Navy, see their way to mend what I regard as their policy of error

Mr. President: The Honourable Member knows that the Government of India have already declared their policy and he is mistaken if he thinks they would at once here and now reconsider it after hearing the speech of the Honourable Member. Besides, the Finance Member is not in charge of that subject.

Mr. Sarabhai Nemchand Haji: I understood the position to be that we were here concerned with the Government of India as a whole, and there is nothing to prevent Sir Basil Blackett from replying on this point after consulting, if necessary, his colleague, the Honourable the Commerce Member.

Mr. President: Does the Honourable Member really expect the Government of India to change their policy on the question in this manner? Is not the proper course for him to have the question fully examined by a specific Resolution?

Mr. Sarabhai Nemchand Haji: I quite appreciate your remarks, Sir. I am merely suggesting to the Government of India that here they can have one vote in support of the Finance Bill.

Mr. President: I do not think the Government of India are going to purchase his vote at that price.

Mr. Sarabhai Nemchand Haji: May I say, Sir, then?

Mr. President: The Honourable Member is fully entitled to criticise the general policy without entering much into the details.

Mr. Sarabhai Nemchand Haji: Thank you very much, Sir. I will not go into details and I will just merely take the principal points in the attitude that the Government of India has taken in this regard. I should at the same time like to say a few words by way of reply to what the Commerce Member said just now about an opportunity having been given last August. He knows perfectly well, as well as I do, that this is a new House and none of us here could be blamed for opportunities not having been availed of last year, if such was the case. But, Sir, to return to the subject

Mr. B. Das (Orissa Division: Non-Muhammadan): May I say that I was not allowed to speak last year when I rose to reply to Sir Charles Innes on the subject?

Mr. President: Does the Honourable Member wish to speak this year?

Mr. Sarabhai Nemchand Haji: Coming to the subject, I will examine the principal grounds of the Government of India in connection with this subject. The first is that this recommendation, namely, the reservation of the coastal traffic to Indian vessels alone is the adoption of a policy which introduces a principle new to British law. I propose to show you that the reservation principle is no such thing.

The Honourable Sir Charles Innes: Sir, may I rise to a point of order? This is a very technical and difficult subject which the House will find it extremely difficult to understand. It must take a long time for the Honourable Member to explain and for me to reply to him. I put it to you, Sir, that on a Finance Bill technical points of this kind should not be raised.

Mr. President: I have more than once suggested to the Honourable Member what line he should take.

Mr. Sarabhai Nemchand Haji: In that case I will restrict myself; it was not my intention to go beyond the main grounds of the Government of India in connection with this subject; and if the Honourable the Commerce Member imagines that this particular objection is not the main objection, I will proceed to deal with the next, and I think it will certainly save the time of the House a lot if he will be good enough to tell me

Mr. President: The Honourable Member is mistaken in thinking that the Government of India are going to change their policy, and give him a satisfactory reply in this way.

Mr. Sarabhai Nemchand Haji: In that case, Sir, I hope you will allow me to

Mr. G. Duraiswamy Aiyangar: Oppose the Bill

Mr. Sarabhai Nemchand Haji: say that my opinion on the subject, in so far as the general discussion permitted under the third stage of the Finance Bill is concerned, is that this is a subject where I do feel that, unless an opportunity is given to

Mr. President: I understand the Honourable Member's feeling on the particular question. I know it is a subject which he has particularly studied. But he takes a wrong opportunity of pressing it before the House and it will not help the cause which the Honourable Member has at heart. If the Honourable Member still wishes to continue he is technically within his rights.

Mr. Sarabhai Nemchand Haji: Thank you, Sir. What I will do now is just to lay down a general proposition to which I hope I will get the support from all Indian sides of the House, namely

Mr. President: I cannot at this stage put any question to ascertain the views of the House and the Honourable Member knows it.

Mr. Sarabhai Nemchand Haji: In one word, Sir, I will bring my remarks to a close and it is this; that we cannot consider the question of the Royal Indian Navy singly by itself; we cannot agree to spend the revenues of India upon a Royal Indian Navy if at the same time the Government of India do nothing to develop the Indian mercantile marine along the lines recommended by the Indian Mercantile Marine Committee. With these words, Sir, I bring my remarks to a close.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I assure the House that I will be very brief, but I must take this opportunity of putting before the House, and especially before the Finance Member, one or two particular points which strike me in connection with the financial position of India. Sir, the Bill which is now before the House for final reading is a warrant for the Government to raise by taxation from the people of India during the next 12 months very nearly 40 to 50 crores of rupees. As one who believes and who is convinced that the taxable capacity of the people of India has not only been reached but has almost over-stepped, I wish to draw the attention of the Finance Member for the next year and future years to the way in which the Military Department threaten to be unable to reduce expenditure any further and, if I understood the Finance Member correctly, I understood that he more or less agreed with that department. It appears to me, Sir, that the Finance Member thinks that no further reductions in military expenditure are possible, and for this reliance is placed on the remarks in the Inchcape Committee's Report, page 58. The Inchcape Committee there said that "with a further fall in prices, a reduction of 50 crores may be expected". Now, I wish to draw the attention of the Finance Member to the fact that, since that was written, there has been a substantial fall in prices. Since March 1923 in England itself—prices ruling in England do certainly count materially for the purpose of the Military Department—in England itself the index number of prices has fallen from 168 to 147 in December last; but the fall in prices in India has been still heavier, and I was a little surprised when the Finance Member interrupted my friend Pandit Malaviya and reminded him that prices of certain articles like cereals and wheat had not fallen at

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all as compared with March 1923. But I wish to point out to the Finance Member the following figures:

Whilst there has been a rise under cereals from 119 in March 1923 to 133 in December 1926 and for pulses from 111 in March 1923 to 160 in December 1926, and for building material from 127 in March 1923 to 132 in December 1926, there have been drops under the following heads:

	March 1923.	December 1926.
Sugar	260	180
Other food articles	224	169
Cotton manufactures	221	153
Other textiles (wool and silk)	160	124
Hides and skins	149	118
Metals	160	138
Other raw and manufactured articles	224	152

(Reference : Indian Trade Journal, 27th January 1927.)

Reliable as these index numbers are "with reservation" the Finance Member uses them often and I hope my friend has satisfied himself as to how this drop in Indian prices affects the Military Budget. My own impression is, that owing to the heavy drop in cotton textiles and in metals and several other articles, there should be considerable saving, not to mention the saving in rupees owing to difference in exchange between 1s. 8d. gold and 1s. 6d. gold. I wish, Sir, to draw the special attention of the Finance Member to the remarks of the Inchcape Committee under the head "Air Force". I am now quoting from page 43:

"Since the potentialities of the Air Force in India are only now being proved and there is a possibility that the extended use of the Air Force might result in economies in expenditure on ground troops we make no recommendations."

I wonder if the Finance Member will think it worth his while to examine this possibility on the assurance of which the Inchcape Committee omitted recommendations regarding the curtailment of expenditure in the Royal Air Force. As a matter of fact, Sir, the expenditure on the Royal Air Force has increased since 1923, and if reports are to be believed, it threatens to increase still further. I attach very great importance to a serious and continued watch being kept on the military expenditure. That it is outside the reach of this House and the fact that it is not votable is a sufficiently serious factor to make it a particularly grave responsibility on the shoulders of the Finance Member, and it is therefore all the more necessary that he should examine every item of military expenditure very thoroughly.

Sir, I cannot sufficiently deplore the lack of a reply to my suggestion that an Advisory Committee may be appointed from out of elected Members of this House to sit with the Military Department on the same lines as Advisory Committees are associated with other departments of the Government of India.

Regarding Aden, Sir, I understood from the Foreign Secretary, when he replied to a few remarks from us on the general debate, that the question of the arrangement arrived at between the Government of India and the Imperial Government was one of arithmetic. I should have thought, Sir, that some of us did not generally go wrong as far as the arithmetic part of a question went. But I should like to ask the Foreign Secretary whether the Government of India propose, now that the partial transfer of Aden to the Imperial Government is decided on, whether they have any idea now to claim compensation from that Government in connection with the capital expenditure already incurred in Aden at the expense of India for such items as barracks, fortifications, roadways, water works and other items in connection with the military equipment of Aden till now. Sir, since the Montagu-Chelmsford Reforms were introduced, the Provincial Governments and the Government of India have been calculating almost with actuarial accuracy in connection with the necessary transfer of property from one Government to another in India. I wonder if we may have a rough idea of how much Indian money was spent in Aden on the various items mentioned by me, and whether, now that the control is to be passed on to the Imperial Government or the Colonial Office as the case may be, the Government of India propose to recover from that Government the capital expenditure incurred at the expense of the Indian tax-payer.

As far as our revenue is concerned, I wish to touch upon one aspect of it. The Finance Member himself admitted, Sir, that owing to diversion of traffic from Bombay to coastal seaports the loss under the head 'customs revenue' was over one crore of rupees during the year which is now ending. Now, Sir, this one crore of rupees loss is the direct loss in customs revenue to the Government of India. It involves a corresponding or greater loss to persons trading in British India. I need not go into figures of this here. When, however, you have such items as sugar and matches carrying customs duty to the extent of 30 to 40 per cent., I might point out to the Finance Member, that it is very necessary to tighten the screws which at present permit of such diversion of traffic at such an unprecedented pace. Since this question was raised here during this Session, I have received several telegrams from friends in Kathiawar appealing to me not to be a party to anything which may be hard on the people of Kathiawar. I have replied to them pointing out that as long as ruling Princes who control ports in Kathiawar restrict themselves to justifiable competition, clean competition, none would mind it. In fact many may welcome it. Indeed, one may name a port in Kathiawar which has been importing articles from abroad for years now, and nobody has raised any voice against it. If I may be allowed to mention that State, it is Bhavnagar. She has been importing goods from abroad for years now, and she has been charging the same duty as in British India, and nobody ever thought it necessary or advisable to complain about it. But what has been done during the last few years? This enterprise has passed all bounds of honest, straightforward and clean competition, and it is against that that we want the Government of India to afford protection to the ports which insist on fair trading. I know the Finance Member has said that from the 1st of April next free transhipment of cargo will be stopped. That will, however, give very slight relief. We really want whole-hearted action on the part of Government to check this unfair competition on the part of some coastal ports. In the telegrams I have

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received it is stated that should the Viramgam cordon be replaced, there will be considerable hardship to passengers from Bombay to Kathiawar and Kathiawar to Bombay. I myself have many friends and a few relatives in Kathiawar, and I cannot possibly be a party to anything which may put the people of Kathiawar to any kind of hardship, but the right remedy for such people who feel for passengers travelling between British India and Kathiawar is to approach the Princes who practically compel us in this House and who, if I may say so, compel the Government of India, Sir, to resort to severe measures for the protection of trade in British India. I therefore feel that it is high time Princes in control of such ports are made to realise that, if a game has to be played, both sides can play it. I still hope that the Government of India may be able to impress upon such Princes the imperative necessity of dropping such objectionable methods. If unfortunately it cannot be done, I hope that the Government of India will give the fullest measure of protection to the commerce and trade of British India.

I have pleasure, Sir, in supporting the third reading of this Bill.

Mr. P. B. Haigh (Bombay: Nominated Official): Sir, I do not wish to detain the House for more than a few minutes at this late hour. (*Sir Darcy Lindsay*: "Hear, hear".) Nevertheless, in spite of the discouragement of my Honourable friend over there, I must say just a few words on the point which has been raised by my Honourable friend from Bombay, Sir Purshotamdas Thakurdas. And in order, Sir, that I may not involve myself in the same difficulties as my Honourable friend also from Bombay, Mr. Haji, I may explain at the very outset, first that I support the Bill, secondly that I wish to speak on the particular point of the Kathiawar ports, thirdly that I do not wish to go into details, and fourthly that I hope to get an answer from the Honourable the Finance Member on the point. I may also say in this connection, that I too like Sir Purshotamdas Thakurdas have received a telegram on this subject. My telegram is not from the merchants in Kathiawar or Bombay but from the Bombay Government. I have been asked to press this matter very strongly upon the notice of the Honourable the Finance Member. The point I wish to lay stress upon is this, that most of this trade that comes through the Kathiawar ports and then finds its way into British India by some curious method which enables an article which has travelled all the way from Bombay and been transhipped to Kathiawar, to come back to British India through Kathiawar and then to Bombay, to be sold in the Bombay market at less rates than if it had been landed at Bombay harbour itself—this remarkable trade is a trade which would never have come into Kathiawar at all if it were not for the existence of the ports of Karachi and Bombay. Most of the articles with which we are concerned come from overseas in ocean-going vessels and, although it is true that there are one or two small ports which can receive ocean-going vessels in Kathiawar, the capacity of these ports is very small and the great majority of the trade must come to the shores of India through the gateway of Bombay or Karachi. And yet by the arrangement at present in force we are simply allowing these articles to be transhipped to Kathiawar and to come back into British India to the detriment of merchants in British India, to the loss of customs revenue, to the loss of port dues in British Indian ports and to all the other incidental losses that must occur when

trade is diverted like this. It was in 1924, Sir, three years ago, that the Bombay Government addressing the Government of India stated that they considered vigorous action necessary. We welcome, Sir, the assurance that the free transshipment is going to be stopped with effect from the 1st of April this year. My Honourable friend thinks that this is only a partial remedy. Well, it will be necessary to see in course of time what effect that produces. What I wish to press upon the Honourable the Finance Member is this, that unpleasant as the Viramgam line may be and although its restoration is a matter which one hesitates to recommend straightaway, what we do ask for is this, that the Government of India should take prompt action and effective action to put a stop to these unjustifiable losses. I hope, Sir, that the Honourable the Finance Member will be able to give us some assurance that very speedy action will be taken.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I fully realise that the House seems to be saturated with the speeches and the House is not in a mood to hear any more talk on the subject. (*Cries of: "Go on"*.) But, Sir, I think it will not be right if I were to record a silent vote on this occasion and I therefore crave your indulgence to speak only for about 5 or 10 minutes. Sir, my Honourable friend, Mr. Ranga Iyer, who represents the same constituency to which I have the honour to belong, started his speech by saying "No taxation without representation." Nobody at least in this House can object to the soundness of this formula but, Sir, if my Honourable friend Mr. Ranga Iyer is not a representative of the people of this country and particularly of the people of my constituency, I do not know in what capacity he has the right to stand in this House and speak on behalf of the people of the country.

An Honourable Member: The fraction of his electorate.

Mr. C. S. Ranga Iyer: I talk as a representative.

Maulvi Muhammad Yakub: Well, he represents a small fraction, but a fraction is also a part of the whole, and if all the Honourable Members of this House do not represent the public of the country, I do not think they have any right to come into the House and to talk as representatives of the people.

Mr. C. S. Ranga Iyer: Even if he is not a representative in this House, under the Montagu-Chelmsford constitution he is a misrepresentative here. (*Laughter.*)

Maulvi Muhammad Yakub: Well, misrepresentation, Sir, is also representation. I quite agree, Sir, that my friend is misrepresenting his constituency and the people of the country, I realise that fully, but that is also a sort of representation.

Mr. C. S. Ranga Iyer: Sir, I stood for election on the specific question of "no taxation without representation" and continued rejection of the Finance Bill until India has Swaraj. I fully represent my constituency.

Maulvi Muhammad Yakub: Well, he may have come on any ticket, but at any rate the people of the country are being represented in this House through my Honourable friend and his other colleagues here.

Mr. C. S. Ranga Iyer: Not adequate representation.

Maulvi Muhammad Yakub: Representation, Sir, may not be adequate. We do not say the representation is adequate and we also want more representation, but after all we are here as representatives and my Honourable friend cannot say that India is not represented. When we propose Resolutions in this House, when we reject Resolutions in this House, we say we are representing the people of this country. When we propose amendments, when we reject amendments, when we carry amendments, we say that we represent the feelings of this House. Only the other day when we were discussing the Railway Budget, my friend Mr. Ranga Iyer associated with me in demanding increase of pay for the low-paid Indian railway servants. Then when we

Mr. C. S. Ranga Iyer: On a point of personal explanation, Sir. I did not dissociate myself from the Honourable Member, and as to the representative character of the House, I say, so long as the Government and nominated Members are here, it cannot be representative.

Mr. President: Order, order, it is not a question of personal explanation at all.

Maulvi Muhammad Yakub: Sir, I want to give a reply to the arguments brought forward by my Honourable friend. We had the patience, to our great pains, to hear him for at least five or six hours. I hope he will allow me to speak for a few minutes unmolested.

Mr. C. S. Ranga Iyer: I did not speak for five or six hours.

An Honourable Member: It felt like it.

Maulvi Muhammad Yakub: What I submit, Sir, again to my Honourable friend is that when we were speaking on the General Budget, my Honourable friend associated with me and said that we want more pay, more house allowance, more uniforms for the subordinate postal service. Now, Sir, he is urging upon the Government to spend more money. But when the time comes to supply this money for this expenditure, which my Honourable friend has himself allowed to pass, then he says, "We are going to refuse the grants and we are not going to pass the Finance Bill." Now, Sir, is it not blowing hot and cold in the same breath? It is absurd to pass expenditure and when it comes to the time for granting the money for this expenditure, to say that we refuse to grant that expenditure. Sir, I have every respect for the no-changers. I have respect for the sincerity of their views, though I may not agree with them, because they think that the Reforms are a sham; that the Reforms are not useful for the country and therefore they abstain from coming into the House, they abstain from taking any part in the Reforms. But, Sir, I am quite unable to understand the mentality of my friend, Mr. Ranga Iyer, and his colleagues when in the same breath they say that the Reforms are a sham and they utilise these very Reforms, they spend thousands of rupees on election campaigns, they take the benefit of these Reforms, they sit on sub-committees, they work on all the Standing Committees, even when there is any place of honour vacant in the House, they put in their candidates, and men of their party always want places of honour. But, Sir, when it comes to supplying money for carrying out the work they say the Reforms are bad and they want to reject the Finance Bill. Is it logical? Is there any sense in it? I say, Sir, not.

Mr. Chaman Lal (West Punjab: Non-Muhammadan): Do you think that the Reforms are satisfactory?

Majlvi Muhammad Yakub: I do not challenge the views of my Honourable friend Mr. Ranga Iyer when he, like an old widow, goes on bewailing and weeping for the sorrows and grievances of Indians. Sir, I assure the House that I am quite in association with him about the grievances of Indians. Sir, the tradition of belonging to a ruling race is quite recent in my people. We have been in this condition only for about 100 years and we feel the pinch of slavery more than my Honourable friend does. But, Sir, the question is this. Is this the way of obtaining Swaraj? Is this the right road to the goal of Swaraj? Was Swaraj won by any country by making long speeches in the House? (Laughter.)

Mr. C. S. Ranga Iyer: What did Parnell do?

Maulvi Muhammad Yakub: Has South Africa gained Swaraj by making long speeches? Has Canada gained Swaraj by making long speeches?

Mr. Chaman Lal: The South Africans gained it by revolution.

Mr. C. S. Ranga Iyer: Is the Honourable Member prepared for war?

Mr. President: Order, order. Maulvi Muhammad Yakub.

Maulvi Muhammad Yakub: If really my Honourable friend is sincere to get Swaraj, I hope, Sir, that he will try to adopt the measures which other countries have adopted to win Swaraj. But, Sir, certainly this cannot be the way to obtain Swaraj.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Let them take the lead in it.

(*An Honourable Member:* "Join in it.")

Maulvi Muhammad Yakub: I thought that my gallant and Honourable friend from the Frontier, who always talks of doing something practical, would take the lead and I would follow him. I do not expect that he will.

Nawab Sir Sahibzada Abdul Qaiyum: I want no Swarajist friends to take the lead.

Mr. President: Order, order.

Maulvi Muhammad Yakub: Well, Sir, we are all anxious to get responsible government in this country. The difference lies in this. I say that the methods adopted by my Honourable friend will never lead him to Swaraj. He knows, as well as I do, what the obstacles are in the way of getting Swaraj, and I would appeal to him that instead of wasting his time and our time for hours in this House, if he considers that the Reforms are a sham, he should try and plough other more fertile fields and prepare the country to get Swaraj. But, Sir, it is certainly not right that we should follow a half-hearted and self-contradictory policy. We sanction the expenditure and then we refuse to allow the money for carrying on the administration by means of the expenditure which we have already granted.

With these remarks, Sir, I oppose my Honourable friend and support the passing of the Finance Bill.

(*An Honourable Member:* "I move that the question be now put.")

Mr. President: I should like to close the debate, but the Honourable Member knows that there are so many Members yet anxious to take part in the debate that I feel I should continue for sometime.

Pandit Hirday Nath Kuneru (Agra Division: Non-Muhammedan Rural): Sir, I should like to take advantage of this occasion to say a word about our customs tariff. In 1918-14, that is the last pre-war year, we got a revenue of 11½ crores from Customs and it formed about 1/7th of our total revenue. In the coming year we expect to get about 48½ crores from customs duties and they will form about 40 per cent. of our total revenue. The weight of the customs duties, as the Taxation Enquiry Committee put it, is increasing and there is a large variety of rates. It is obvious, therefore, that there should be a careful elaboration of the tariff and that it should be based on scientific principles. I should have thought that the Report of the Taxation Enquiry Committee having been published a year ago, Government would have done something in this direction. Perhaps they have done something. If so, I should like to know what has been done. If nothing has been done, I would suggest strongly to them that the revision recommended by the Taxation Enquiry Committee should be carried out at an early date by an impartial body. I would personally suggest that the inquiry should be referred to the Tariff Board. But if some other body is selected, it is necessary that Indians should be adequately represented on it. The question of tariffs is of the greatest importance to our industries and the place which industries occupy in the minds of Indians is, as Honourable Members know, a high one. It is therefore of the very greatest importance that the inquiry that is conducted should be such as would carry conviction to the country at large and to this House in particular. I wish to say specially that it will not do if the inquiry is merely departmental and a subordinate officer or even a superior officer of the Department is appointed to conduct it. There ought to be a Board on which Indian views will be fully represented.

I should also like to refer in this connection, Sir, to the lac industry. Now, we all know the objections raised to export duties. But as Government are well aware, the imposition of a duty on unmanufactured lac was a point on which the Taxation Enquiry Committee were unanimous. They certainly asked that a further inquiry should be made into the matter, but they held that if it was found necessary a duty should be imposed. Has anything been done in that connection? This duty is of the greatest importance to the Mirzapur District in the United Provinces and I have special pleasure, therefore, in bringing this matter to the notice of Government.

I should also like to draw their attention to the gold thread industry with which, I have reason to believe, the Honourable the Finance Member is not unfamiliar. I am told—I have no personal acquaintance with the matter myself—that there is really no competition now between the real gold thread industry in India and the real gold thread coming from France or any other country on the Continent. I am told that the 80 per cent. duty has killed that competition and that the competition is really between the real gold stuff of India and the imitation stuff that comes from foreign countries. If it is so, I should like to know what the policy of Government in this matter is. I can understand two real stuffs competing, but I cannot understand imitation stuff being allowed to compete with real stuff.

Lastly, Sir, I should like to refer to the export duty on hides. Coming as I do from the United Provinces it was a matter of satisfaction to me

that the House decided yesterday with your valuable support to retain that duty.

The Honourable Sir Charles Innes: It is not the view of the Mirzapore Association.

Pandit Hirday Nath Kunzru: I was coming to that. The Honourable Member triumphantly referred to the view of an association in Mirzapore in favour of the removal of the export duty. But he forgot that if the leather industry is strong anywhere in the United Provinces it is in Cawnpore and Agra, and their opinion seems to be against the proposal of the Government. If Government wish to help Mirzapore, let them take up the question of the lac industry and see whether it is necessary to impose a duty on the export of unmanufactured lac. The debate yesterday showed that nobody is, in theory, for a permanent retention of the export duty on hides, but what is necessary for Government to realise is that there is such a thing as the leather industry in India. If they have for a long time been thinking of removing this duty, was it not necessary that they should before asking this House to remove it come with proposals which would alleviate the difficulties of the leather industry? All that the House asked Government yesterday to do was to postpone the consideration of the removal of the export duty till their proposals with regard to the leather industry as a whole were ripe for consideration. In spite of the figures given yesterday by the Honourable Sir Charles Innes, there is no doubt that the imposition of the duty in September 1919 has not hurt the trade in raw hides to the extent suggested by several speakers. It must be borne in mind in this connection that the quantity of raw hides exported had fallen to about 19,000 tons in the year before the export duty was levied

The Honourable Sir Basil Blackett (Finance Member): On a point of order, Sir. Is it in order to re-open the whole question of the export duty on hides which has already been settled in a previous debate?

Mr. President: On the Finance Bill the whole administration comes under review and it is very difficult to rule this out. I would, however, ask the Honourable Members not to reopen the question which has been fully discussed.

Pandit Hirday Nath Kunzru: If the Honourable the Finance Member will have patience, he will see that I will not reopen that question. I want only to point out that the trade in raw hides is not in a parlous condition because of the export duty, and that therefore Government and those engaged in that trade can well afford to wait till proposals are matured for giving relief to the leather industry, and I hope that this point is in order even in connection with the Finance Bill. India exported only 19,000 tons of raw hides in the year previous to that in which the export duty was imposed, and in 1925-26 the quantity of raw hides exported amounted to 28,500 tons. . . .

The Honourable Sir Charles Innes: 1918 was war time.

Pandit Hirday Nath Kunzru: In 1920 after the War it was 18,500 tons and in 1925-26 it was 28,500 tons.

The Honourable Sir Charles Innes: In 1913-14 it was 60,000 tons.

Pandit Hirday Nath Kunzru: The Honourable Member removed a duty of 10 per cent. in 1923 and if it was the export duty that was preventing the expansion of the trade in raw hides, we should have seen a considerable improvement after the removal of the duty

The Honourable Sir Basil Blackett: Is it really necessary for the Honourable Member to flog a dead horse?

Pandit Hirday Nath Kunzru: I would not flog a dead horse, if the Honourable Member would even now say that he would not come forward next year with his proposal to remove the duty on the export of hides without at the same time bringing forward proposals for the protection of the leather industry. The Honourable Sir Charles Innes made a long speech yesterday which did not contain a single word of hope so far as this industry.

Mr. President: The Honourable Member might wait till next year.

The Honourable Sir Charles Innes: We did refer to the Tariff Board whether the boot and shoe industry of India needed protection. The only applicant withdrew and nobody else came forward and we had to remove the name of that industry from the list of the Tariff Board's work.

Sir Purshotamdas Thakurdas: That is a different thing altogether.

Pandit Hirday Nath Kunzru: That is a different thing altogether. Besides, the Honourable Member knows that it is not easy in the condition in which the trade is to get evidence. Go to Mirzapore where the lac industry is suffering, and yet if you ask people who have the largest share in the lac trade, they will not be able to provide you with facts and figures which would easily stand the scrutiny of a body like the Tariff Board. Surely the Honourable Member knows that and it is not fair of him that he should say that the fact pointed out by him is a conclusive argument against the consideration of this question in future.

Then there is one thing more which I should touch on, and that is the duty on newsprint. I do not want to go into it in detail, but I should like to bring to the notice of Government one fact which is contained in the leading article of the *Leader* of the 17th March, and it is this. Newsprint formerly paid a duty of about 15 per cent. or 2 as. 8 pies per lb. The *Leader* makes out that that is not really the market price of a lb. of paper. The market price according to it is 1-6 pies. If on that, according to the new ruling a duty of one anna is to be levied, it amounts to a duty of 67 per cent. I know that the Honourable the Commerce Member has promised to take the matter into consideration, but if the facts are, as pointed out by the *Leader*, then he need not wait to receive representations from the paper industry. It is a matter in which he might take the initiative himself.

The Honourable Sir Charles Innes: They can bring it up. .

Pandit Hirday Nath Kunzru: Before I sit down, I should like to say a word about the provincial contributions. The Honourable the Finance Member yesterday asked us how we would go back to our provinces and face our electors after having prevented the Government from remitting the provincial contributions. He seemed to throw the entire responsibility for that on the non-official Members.

The Honourable Sir Basil Blackett: Hear, hear. Entire?

Pandit Hirday Nath Kunzru: I hope the Honourable Member will listen patiently to me. In my own opinion the responsibility rests entirely on Government.

The Honourable Sir Basil Blackett: The Honourable Member may tell me so, but it will not make any change in the result.

Pandit Hirday Nath Kunzru: That is the worst part of the present system of administration. We know that we cannot influence. . . .

The Honourable Sir Basil Blackett: The fact remains that the responsibility rests with the Honourable Member whatever he may say.

Pandit Hirday Nath Kunzru: I know that the Honourable Member does not like that the responsibility for his action should be imposed on him. That is perfectly human and natural, but facts are too strong for him. He asks us to accept the policies of Government. Their policies are the quintessence of wisdom. The practical arrangements that they make to carry out their policies are a model of administrative efficiency. Those two things must be taken for granted. If there is anything that admits of change it is non-official opinion and sentiment. The debt redemption scheme cannot undergo any change. . . .

The Honourable Sir Basil Blackett: It has been approved by the House and voted this year.

Pandit Hirday Nath Kunzru: I know it very well. But it never came under discussion.

The Honourable Sir Basil Blackett: Whose fault was that?

Pandit Hirday Nath Kunzru: It came under the guillotine. The Honourable Member knows that this matter formed the subject of discussion. . . .

The Honourable Sir Basil Blackett: Every time it formed the subject of discussion and was voted upon, that has been in favour of Government.

Pandit Hirday Nath Kunzru: Just as the decision in regard to 1s. 6d. ratio was in favour of the Government! Whenever we refer to the scheme of debt redemption the Honourable Member raises the cry of "thief, thief." In this matter I should like to say that it is not merely we, the irresponsible Members on this side, who ask for a revision of the scheme of debt redemption, particularly in so far as it relates to the productive debt, but the representative of a responsible Government like the Madras Government suggested the same course to the Finance Member the other day and I doubt whether the non-official European opinion which is certainly conversant with business methods would be unanimously on the side of Government. It is no use saying whenever we refer to that scheme of debt redemption that it is a raid on the sinking fund. A mere phrase will not prevent us from putting forth what is a real grievance and what is regarded as such not merely by the non-official Members but by Members on the other side also.

Then there is military expenditure. The Honourable Member said yesterday that it was not fair to say that he had done nothing to bring down military expenditure. Now, so far as I remember, I have never said anything of the kind.

The Honourable Sir Basil Blackett: If the Honourable Member will allow me to interrupt, he said that the military expenditure had increased by a crore and I pointed out that the net figure was 4 lakhs.

Pandit Hirday Nath Kunzru: As I pointed out to the Honourable Member yesterday I was referring to the standard level of military expenditure. The established charges have risen from 54.24 crores in the Budget for 1926-27 to 55.25 crores in the Budget for 1927-28.

The Honourable Sir Basil Blackett: I was referring to the net expenditure.

Pandit Hirday Nath Kunru: Although it may be that the net expenditure has not risen by a crore on account of surplus stores and other things, we are faced in the immediate future with the prospect of that rise in net expenditure even. I was saying that so far as I remember neither I nor any Member of this House charged the Finance Member with not trying to bring down military expenditure. We recognise that it has come down during his term of office. If he will allow me to remind him, in the speech with which he closed the budget discussion he said he thought that the military expenditure was at its minimum and that he certainly would not like that it should be cast in the teeth of the Finance Department that it was standing in the way of India having an efficient army. It is of that attitude that I complain. He did say the other day that he did not accept the Commander-in-Chief's dictum that the Army in India could not have one man or one rupee less. But his statements have been rather contradictory and he has only himself to blame if at times we feel bewildered by what he has said on the subject. He has only to show that his sympathies are on our side and that in the inner councils of Government he will continue to press for reduction in military expenditure for all complaints to cease so far as he himself is concerned.

(At this stage some Honourable Members got up to speak.)

Mr. President: I do not know if it is the general desire to close the debate by the recess time. I should like to conclude this debate before the recess. (Pandit Madan Mohan Malaviya got up) I hope you will not take long because I wish to close this debate at half past one.

(Some Honourable Members: "I move that the question be now put.")

Mr. President: Pandit Madan Mohan Malaviya.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): I am grateful to you, Sir, for giving me an opportunity to say what I wish to say on the Finance Bill. I regret with many other Members that the time allowed for the discussion is not longer, because a matter of the importance of the Finance Bill does require full consideration in all its aspects. I submit, Sir, that the proposal to pass the Finance Bill imposes a very heavy responsibility on Members of this House and we have to consider very fully whether we shall discharge that responsibility by supporting the Finance Bill or not supporting it. The position is quite clear. We have not the power under the constitution which has been provided to regulate the expenditure of the revenue raised from the taxes except to a very small extent, and I submit that as we have not the power to regulate the expenditure of the money raised through the taxes, we cannot take upon ourselves the responsibility of imposing the taxes. The Statute of 1919 contains one important feature which I most value, the power given to this Assembly to legislate. It lays upon us the responsibility for exercising that power correctly. The present Budget is a Budget which contains surpluses which are unreal, maintained by indirect, additional taxation by reason of the rupee having been maintained at 1s. 6d. Heavy taxation has been imposed since the War. The Incheape Committee pointed out that since 1919 the new taxation that had been imposed was estimated to yield 40 crores annually. That taxation has not been reduced except for the abolition of the cotton excise duty, taking the salt duty back to its pre-war

level and some small things. I submit, Sir, that expenditure has enormously increased since the war. It has been not merely lavish, but extravagant. This fact is indelibly written in stone in New Delhi, on the buildings that have been erected in New Delhi. The extravagance of the Government is writ large in the construction of New Delhi. It will be a matter for shame and regret for all time that we Indians did not stand up and protest against it sufficiently strongly, even though our protests would have gone in vain. Sir, the transfer of the expenditure on New Delhi from the revenue to the capital account was suggested and supported in the expectation that the amount spent would always be visible and that it would prevent the figure from rising high unreasonably. It has had the contrary result, and I myself regret that I was one of those who suggested, along with the late Mr. Gokhale, that the expenditure should be taken from capital. Sir, New Delhi stands, and will stand for ever, as one of the most sadly eloquent proofs of the extravagance of the Government of India. It makes a very sad contrast with the condition of the great mass of the people living round Delhi and throughout the country.

Expenditure has enormously increased during the last few years. It was 78 crores in 1914, it rose to 130 crores in 1925-26. It is going to be reduced this year by only five crores and that also by maintaining the rupee at 1s. 6d. I am quite aware that prices have risen during the period. If you put down even a 50 per cent. increase as due to the rise in prices, the rise in the total expenditure has still been very high indeed, and it has been met by large additional taxation. The civil expenditure has risen high on salaries, pensions and other allowances, and yet the number of Indians employed has not risen half as much as it should have. This rise in expenditure is largely due to the number of Europeans employed at present in high appointments. As one glaring instance, no Indian has been appointed on the Railway Board even after the repeated requests of this Assembly. That is how the matter stands regarding civil expenditure including railways.

When we come to the military expenditure that tells the saddest tale. In 1859 the army was amalgamated with the British army. Protests were made at that time. It was adopted against the almost unanimous opinion of the most experienced British officers who had served for a life time in the Indian army. It was described by Sir Charles Trevelyan as based on a principle which had been found to be "extravagant and crushing in practice". There were protests made again and again even by the Government of India against the excessive expenditure which India has had to pay under the scheme. To quote only one instance, in 1878 the Government of India observed :

"that placed as it was under the serious responsibility of so administering the affairs of the greatest dependency of the British Crown that while British supremacy is strictly guarded the means of securing that end shall not unduly weigh on the people of the country, it was constrained to represent to Her Majesty's Government that the burden thrown upon India on account of the British troops is excessive and beyond what an impartial judgment would assign in considering the relative material wealth of the two countries and the mutual obligations that subsist between them. All that we can do is to appeal to the British Government for an impartial view of the relative financial capacity of the two countries to bear the charges that arise from the maintenance of the army of Great Britain and for a generous consideration of the share assigned by the wealthiest nation in the world to a dependency so comparatively poor and so little advanced as India."

In 1880, after the Afghan war, the late Professor Fawcett raised a strong debate in the House of Commons on the injustice of India being saddled

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with the expenses of that war. There was a memorable discussion on the subject. It was said that the object of maintaining the British army, at the level at which it was maintained in India, was not merely the protection of India but also the maintenance of British power and prestige in the East. Mr. Dadabhai Naoroji, speaking before the Indian Expenditure Commission, said :

"What I urge is that the British Army is mainly for the maintenance of British Rule against internal or external troubles. But for present practical purposes I accept that the Army is for the benefit of India also, as for that of Britain; and I urge, therefore, that, leaving alone even the poverty in India, Britain in fairness to India should share the expenditure, say half and half, for what is a common purpose of equally vital importance to both. The Government of India (see their despatch of 25th March 1890) correctly puts the position: 'Millions of money have been spent on increasing the Army in India, on armaments and fortifications to provide for the security of India, not against domestic enemies, or to prevent the incursions of the warlike peoples of the adjoining countries, but to maintain the supremacy of British power in the East.'"

This was said by the Government of India themselves, Sir, and as I will show—this view is supported by what Lord Beaconsfield said. Speaking in the House of Commons Mr. Fawcett said

The Honourable Sir Basil Blackett: What date was that please?

Pandit Madan Mohan Malaviya: I have been giving you the dates all along. That was in 1880.

The Honourable Sir Basil Blackett: What did Mr. Disraeli say on the subject?

Pandit Madan Mohan Malaviya: I am coming to it. I will first say what Mr. Fawcett said. On the 11th February, 1880, Mr. Fawcett moved the following amendment to the Address in reply to the Queen's Speech (Hansard, Vol. 25, p. 458):

"But we humbly desire to express our regret that in view of the declarations that have been made by your Majesty's ministers that the war in Afghanistan was undertaken for Imperial purposes, no assurance has been given that the cost incurred in consequence of the renewal of hostilities in that country will not be wholly defrayed out of the revenues of India."

And speaking on it Mr. Fawcett said:

"And fourthly, the most important question, as far as he was able to judge, was who was to pay the expenses of the war. . . . It seemed to be quite clear that the expenses of the war should not be borne by India, and he wished to explain that so far as India was concerned, this was not to be regarded as a matter of generosity, but of justice and legality. The matter must be decided on grounds of strict justice and legality. . . . It was a remarkable thing that every speech made in that House or out of it by ministers or their supporters on the subject showed that the war was a great Imperial enterprise, those who opposed the war having always been taunted as being 'parochial' politicians who could not appreciate the magnitude and importance of a great Imperial enterprise. . . . He would refer to the speeches of the Viceroy of India, the Prime Minister, and the Secretary of State for Foreign Affairs upon the subject. . . . In December 1878, the noble earl (the Prime Minister) warned the peers that they must extend their range of vision, and told them that they were not to suppose that this was a war which simply concerned some small cantonments at Dakka and Jelalabad, but one undertaken to maintain the influence and character, not of India, but of England in Europe."

And speaking in the House of Lords, Lord Beaconsfield emphasised that the objects of the war were British Imperial purposes. That was on the

25th February, 1880 (Hansard, Vol. 250, p. 1094). The exact words of his Lordship were:

"That the real question at issue was whether England should possess the gates of her own great Empire in India . . . We resolved that the time has come when this country should acquire the complete command and possession of the gates of the Indian Empire. Let me at least believe that the Peers of England are still determined to uphold not only the Empire but the honour of this country."

That was, Sir, what Lord Beaconsfield said. And the result of it all was that out of the 21 million pounds, which had been incurred by India on the War, England contributed 5 million pounds.

I submit, therefore, Sir, that it is indisputable that British troops are maintained in India, not merely for the protection of India but also for the Imperial purposes of England. Since the Afghan War of 1880, great events have taken place. The frontier has been pushed to Razmak, which I am told is only a short distance from Kabul. And what is worse, Sir, there is a danger that, if we do not make our protest strong and united, if Hindus, Mussalmans, Christians, Jews and Sikhs—all those residing and truly interested in India—do not make a very strong protest we shall be involved in the great danger of the frontier being further pushed forward and of India having to bear a still greater burden of military expenditure in the near future. Mr. A. C. Wentworth Lewis, the retiring President of the Rotary Club, in the course of a lecture to that Club on the 'North West Frontier problems' recently said:

"At his lecture last year at the Saturday Club Colonel Saunders gave it as his convinced opinion that the Russians were developing plans of an offensive and that Great Britain would have to defend India by force of arms within a period which he put as within ten years hence."

"How were they"—

—asked Mr. Lewis—

"to defend India? Were they to fight in India or in the country over the border? No one who had personal experience of France and Belgium during the Great War, would say that the answer was that they should have it in their garden; they must have it in the enemy's garden. Therefore they must have the tribes under control and the passes under guard and exercise such moral supervision over the tribesmen that when the day of trial came, the tribes would back the winning horse by standing with Great Britain. They wanted the battles fought out in the Hindu Kush and not in India."

And Mr. Lewis stated that it had been held that extensive operations would be needed towards that end. He said:

"It was then held that military operations on an extensive scale would be necessary and that the troops must not remain in the plains but must be maintained in the hills."

When troops were maintained at Kohat and Bannu, it was found that the British troops suffered greatly from the heat, and therefore it was decided that the troops must be maintained in the hills, and that a policy of peaceful penetration should be pursued. He said:

"Behind the screen of regular troops at strategic centres, efforts should be made to give these tribesmen such civilisation as they could assimilate and that they should be prepared under British supervision to guard the roads and make roads where none existed. That was the policy now in force on the Frontier, the policy of peaceful penetration."

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Mr. Lewis then pointed out that in the pursuit of that policy :

"A first class road had been made from Bannu to Razmak. There were two posts where troops were stationed. One was Razmak which had a very large garrison and was one of the big military centres in India. Another road which was opened only the other day—and which was not safe to proceed down unless under escort—led down from Tandola to Tonk. So far the occupation of Waziristan had been one of unqualified success. To-day in those areas although one was by no means safe and had to take every possible precaution, there was now order, and the tribes so far from resenting the British coming, seemed to welcome it. The tribesmen were practical people who had led a hard, barbarous and unspeakable life, and the coming of the troops brought money to them. The British were even now starting a certain number of elementary schools among these people."

And as regards the policy of the future Mr. Lewis went on to say that "his hope—and the hope of all those who thought with him—was that of advance and development". Now, Sir, what was the regret that this gentleman expressed. It was that so far their policy had been hampered by finance. And that is the reason why I have taken up this matter on the Finance Bill. Says Mr. Wentworth Lewis :

"So far their policy had been hampered by finance; owing to the lack of financial provision the army had had to stay in those lines. The idea was that they should make an advance to Wana where they were in 1920. Wana was a fine strategic point near the Afghan Border. If they stopped at Wana, they had their forces concentrated and the whole of the Mahsuds in their hands."

"It had been said"—

—remarked Mr. Lewis—

"that this meant another war. That was not so. The Maliks of Wana had asked them to go there. It was imperative that they should go while the tribesmen were in this mood and not delay further; Afghan intrigue was plentiful in Wana and where now the British would be welcome guests, they might later be regarded as enemies."

That would show how great was the anxiety of the forward school among British politicians and public men to advance the frontier further, and how great and how certain is the danger of this country being plunged in further expenditure on the score of military operations on that account. Sir, that is a very important aspect of the case. British troops, I submit, are maintained in India at their present strength, not merely for the purpose of defending India—they are maintained for Imperial purposes also. They were sent to South Africa during the Boer War; they were sent in the Great War to France and they saved the situation by reaching there in the nick of time, as the highest of English statesmen and soldiers acknowledged at the time. They were sent again to Turkey to fight against the Turks with whom we Indians were not at war, who had done us no wrong; and yet, our troops went and fought and defeated them. They have lately been sent to China, not for India's purposes, but against the protests of Indians, We Indians regard the Chinese as our brethren as much as any other brethren in Asia. We have no hate towards our brethren in Europe or America, but we do regard the Chinese as entitled in a special degree to our sympathy and a feeling of fellowship by reason of the long and ancient connection of India with China, and by reason of the fact that the Chinese people or rather the bulk of them follow the religion of Lord Buddha who glorified India by taking his birth and preaching his religion here. We feel therefore a great deal of fellowship and sympathy with our Chinese brethren and we do not wish that any of our Indian troops should be employed against the Chinese. But they have been sent there, not for India's

purposes, but for the purpose of upholding the prestige of the British Empire. I submit, therefore, that that being the real situation, let it be definitely recognised that the British army in India is maintained for Imperial purposes also, and let England bear at least part of the cost of maintaining them and help us thereby to reduce our overgrown military expenditure. We have failed to persuade the British Government to allow us to reduce the number of British troops. The War Office is the tyrant that tyrannises most over India. The British Parliament has taken upon itself to regulate the destinies of India. We have to fight against that assumption of power. But over the head of the British Parliament sits the War Office, which determines without consulting the Secretary of State what army charges it will impose upon the Indian people. This has been further illustrated by the answers given regarding the expenditure which has been recently imposed upon us by that authority. For all these reasons, Sir, I submit, let it frankly be recognised that the British troops in India are maintained for the Imperial purposes of England. Where would England have been

Mr. President: I hope the Honourable Member will allow me to conclude this debate at 1-80.

Pandit Madan Mohan Malaviya: I implore you, Sir, to allow me to complete what I have to say.

Mr. President: There is no question of permission as the Honourable Member is entitled to take as much time as he likes. I would however ask him to remember that the Chair did not accept closure in order merely to give an opportunity to the Honourable Member.

Mr. J. Coatsman: I move that the question be now put.

Mr. President: I am not going to accept that proposal now.

Pandit Madan Mohan Malaviya: I apologise to you, Sir, and to the House for continuing to speak after what you have said. I should have at once resumed my seat, but probably this is the last speech I am making in this Assembly and I hope that you will therefore allow me to put on record what I wish to say on the subject. (*An Honourable Member:* "Why last?") Please let me go on. If you will forgive me, Sir, for not acting according to your directions, and if the House will forgive me and hear me with patience for the short time during which I wish to lay this question which affects every Hindu, every Mussalman, every Christian and every European living in this country, I shall feel grateful both to the House and to you.

Mr. President: Will the Honourable Member give me an approximate idea as to how long he is going to take?

Pandit Madan Mohan Malaviya: I do not think I will go beyond half an hour.

Mr. President: The Honourable Member may proceed.

Pandit Madan Mohan Malaviya: Thank you, Sir. I apologise again to my friends in the House for taking up their time against their wishes (*Cries of "No."*) I have said—let it be frankly acknowledged that British troops are maintained in India as a part of the British army, not purely for Indian purposes, but for Imperial purposes also. That fact being recognised, let us deal with the question in a reasonable way. If it is to the interest of England to maintain so many British troops in India and on the frontier, let England bear the expense of it. England can bear the whole expense of it; India cannot. If India is not to be allowed to reduce the number of

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British troops, I ask every Member on both sides of the House to consider whether in view of the fact that British troops in India (to say nothing about Indian troops) have often and often been employed outside India for England's military purposes and that England's position in the East would have been seriously jeopardised if British Indian troops were not available to England during the many crises that have occurred, is it unreasonable to ask that the British people should at least share the burden of maintaining the British troops in India in the strength in which they are maintained here? That is clearly one reasonable way of reducing our military expenditure. And I hope this proposal will be taken seriously. I feel certain that if we all here and my countrymen outside will take up the question in right earnest and press it on the simple ground of justice, and of the good of the people of India as a whole, if we shall all unite and speak with one voice and claim that as England is more deeply interested in the maintenance of the number of British troops that it maintains in India than India herself, it should share the cost thereof with us, I expect that England will have to share the burden of maintaining those troops in India.

The second suggestion which has been repeatedly made for the reduction of expenditure on the troops is the Indianisation of the Army. I regret to say the Government have not taken serious steps to bring this about, and this is one of the further reasons of my opposition to the Finance Bill. Indians have for a long time past been praying that they should be admitted to the higher ranks of the Army, that they should be trained for those ranks as their English fellow-subjects are trained. Now, Sir, let us see what has happened? In the year of grace, 1833, the House of Commons considered the question of the employment of Indians in India, and it laid down that clause, that wise, that benevolent, that noble clause as Macaulay described it, which enacted that:

"no native of the said territory nor any natural born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour or any of them, be disabled from holding any place, office or employment under the said company."

Speaking of his share in the framing of that clause, Macaulay, be it said to his eternal credit, said:

"I must say that to the last day of my life I shall be proud of having been one of those who assisted in the framing of the Bill which contains that clause. It would be on the most selfish view of the case far better for us that the people of India were well governed and independent of us than ill-governed and subject to us. We shall never consent to administer the *pousta* (a preparation of opium) to a whole community—to stupefy and paralyse a great people whom God has committed to our charge, for the wretched purpose of rendering them more amenable to our control. We are civilised to little purpose if we grudge to any portion of the human race an equal measure of freedom and civilisation."

Such were the noble sentiments expressed by Macaulay. Such was the Act of 1833! This was followed by the Queen's famous Proclamation of 1858, and it is not without purpose, not without deliberation that I am quoting from the Proclamation at this juncture, though I presume it is known to all of my Honourable friends here. In the Proclamation—Queen Victoria of pious memory—declared unreservedly and most solemnly, calling God to witness, and bless:

"We hold ourselves bound to the Natives of our Indian territories by the same obligations of duty which bind us to our other subjects, and these obligations by the blessing of Almighty God we shall faithfully and conscientiously fulfil."

Now, Sir, this was the Proclamation issued in 1858. In 1877 on the occasion of the Proclamation of the Queen as Empress of India, she sent a telegram to Lord Lytton, which he read in the open Darbar consisting of the Princes and Peoples of India. In this telegram the Queen Empress said :

“ That from the highest to the humblest all may feel that under our rule, the great principles of liberty, equity and justice are secured to them, and that to promote their happiness, to add to their prosperity and advance their welfare are ever present aims and objects of our Empire.”

Now, Sir, if the noble promises of these Proclamations and of the clause of 1833 had been carried out Indians should have been trained for higher careers in the army and they should have been admitted to the army in adequate numbers. These noble pledges nobly given have been disregarded in practice, so far as admissions to the higher ranks of the army are concerned, except for the very small numbers of commissions that have been thrown open to Indians during the last few years. We have complained repeatedly of the injustice thus done to Indians. When I was examined before the Army Committee over which the late Lord Rawlinson presided in Simla in 1921, I put forward before it the proposal, which had been made first during the time of the Duke of Connaught in the sixties of the last century, that there should be a military college established in India, like the Sandhurst of England, where every year, not one, not ten, but 100 or 200 young men from military families and all others who may wish to adopt a military career and who may possess the necessary qualifications for admission, should be given the same kind of training and education that Englishmen receive at Sandhurst. Sir, I suggested that the then approaching visit of His Royal Highness the Prince of Wales should be commemorated by the establishment of such a College, and I ventured to offer to raise the money for it if the Government would agree to establish it. I ventured to say that my countrymen, Hindus, Musalmans, Christians and Parsis, in fact all classes of people in this country would unite in raising the necessary money. I went further and said that they would even be willing to submit to special taxation to have a first class military college established in the country. The late Commander-in-Chief and Sir Malcolm Hailey who were on the Committee were good enough to say that they were prepared to find the money for it, and when His Royal Highness the Prince of Wales came, I felt grateful satisfaction that a college was established at Dehra Dun; but we were sorely disappointed when we found that though the college bears the high name of His Royal Highness the Prince of Wales, it is nothing but a Public School. We have not yet got a military college, though that school aspires to become one. I submit, Sir, that the establishment of a military college has been most undeservedly and unjustly delayed. Since this House passed a Resolution on the subject, a Committee was appointed under General Shea which reported more than two years ago and made certain recommendations that the Indian Territorial Force should be developed. They said :

“ We therefore recommend that the University Training Corps should be viewed as the foundation stone of the national army and that no artificial limit be set to the expansion of these Corps, every encouragement being given to the formation and development on sound lines of fresh contingents in all Universities and Colleges where they do not already exist.”

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They also said :

" In order to achieve the greatest measure of success in this form of national education, it is essential that it should commence at as early an age as is possible when the mind is most receptive. The seed must be sown before his mind is formed, and for this reason it appears to us that the schools, colleges and universities offer the most suitable medium through which the first phase of this education can be carried out. We recognise that there may be serious difficulties . . . "

Mr. H. G. Cocke (Bombay: European): Are these not details, Sir, which you ruled out of order earlier in the day?

Pandit Madan Mohan Malaviya: Thank you, Sir. The Committee said :

" We recognise that at the present time there may be serious difficulties in the way of establishing Cadet Corps in all schools in India, but a beginning can be made even in schools with the teaching of elementary principles of civic duty and with physical training and elementary military drill. In the universities the great opportunity lies, and here it is possible to communicate more advanced ideas on the subjects of patriotism and self-defence to a large and increasingly influential section of the population. We are of opinion that in the present stage of India's evolution, and for many years to come the University Training Corps should be regarded as the most important section of the Territorial Force. By means of the University Training Corps, if properly organised and developed, it is possible to educate and influence over a number of years that large body of young men who should become the leaders of thought and the teachers of the next generation. Their training in the principles and the practice of military service will not be limited to themselves, for, when they go out into the world, they will, if their military training has been adequate, take with them the spirit of patriotism, the sense of discipline and the improved physique which will be their legacy from the University Training Corps, and their example should serve to inspire a wider circle of the people of India with a sense of the benefits which fitness for military service confers both upon the individual and the community as a whole "

This recommendation, which is so clearly sound and so completely in agreement with the wishes of the Indian people, has not been given effect to. The Skeen Committee's Report is yet to come. We do not know when it will come. I submit, therefore, that the Government have not seriously taken up the question of training Indians for the army. I do not wish to repeat all that has been said by various speakers who have preceded me on this subject as it must be fresh in the minds of Members of this House. We have said enough, Sir, to show that the Government have not done their duty to the people of India of giving the youth of India a military training, and that this important means of reducing the expenditure of the army has not been adopted. So long as these means are not adopted, we shall continue to have a genuine grievance. If Indians are substituted even to the extent of half among the officers of the army, the saving would be a very substantial one. There is absolutely no reason, to my mind, why in the face of the declarations and the pledges contained in the Act of 1833 and the Proclamation of 1858 and in the subsequent Proclamations, training for the higher careers in the army should not be given to Indians at the earliest possible opportunity. It is not a matter in which the training of few students will suffice. There must be a timetable prepared, showing the time which it will take to Indianise the army within a reasonable period, and the number of qualified youngmen who should be selected and trained for these higher careers should be sufficiently large to bring about the change we desire within a reasonable time. The Government have not done anything in the matter, and this, Sir, is another ground why I cannot support the Finance Bill.

Then, Sir, I come to the financial administration of the Government of India in relation to the currency question. I do not wish to repeat all that has already been said on this subject. I only wish to remind the House that the Bill to stabilise the rupee at 1s. 6d. has been passed in disregard of the very large bulk of Indian opinion. Even taking into account the views of those Indians who voted with the Government, the Bill has been passed, I submit, clearly against the opinion of the bulk of elected Indian representatives in this House. Every Member on the other side will agree with me that this is a perfectly correct statement of the case. This being so, I submit that when the Government even in this 20th century, even after the Reforms of 1919 have been in operation for seven years, shows so much disregard of Indian public opinion, when it raises indirect taxation by maintaining the ratio of the rupee at 1s. 6d. when the bulk of the Indian public opinion as represented by the elected representatives in this House demanded that it should be stabilised at 1s. 4d., we cannot give our support to the Finance Bill. I feel, Sir, that the action of Government in this matter will for a long time to come be remembered by us with pain. The effects of it will be more widespread than has been imagined by some Members. Dadabhai Naoroji quoting from Mr. Morley once said:

"Mr. Morley has truly said: 'But if you meddle wrongly with economic things, gentlemen, be very sure, you are then going to the very life, to the heart, to the core of your national existence'. And so the economic muddle of the existing policy is going to the life, to the heart, to the core of our national existence."

—and the words apply fully to the present situation:

"A three fold wrong is inflicted upon us, i.e., of depriving us of wealth, work and wisdom, of everything, in short, worth living for."

This I fear, Sir, will be the result of this enactment which has been placed on the Statute-book against the arguments, appeals, protests, representations, and requests of the bulk of the elected representatives of the people in this House. I submit, Sir, this has been a great wrong done to the people. What is worse, Sir, while I find that the currency policy of the Government has been so unfortunate, while I find that Government have not shown that respect for public opinion which they should have shown in this matter, I find that in another matter which vitally affects the prosperity of the people, namely, the establishment of banks in this country, they have been very slow to take action. The want of an adequate banking system has long been felt in this country. Japan started her first banking institution in 1873. In 1928 there were 1,799 banks in Japan. Canada has 4,422 banks, the United States have several times that number. India has been praying for a proper banking system for a long time past, and all that we have up to this time is a few hundred banks, and all that we are now given a hope of is a Reserve Bank. I submit, Sir, that the Reserve Bank, the object of which is defined to be to maintain the ratio at 1s. 6d., will not serve the objects of the people. A Reserve Bank such as is proposed has not inspired confidence in the people. It seems to many of us that this Reserve Bank, given the powers that are to be given to it, will take away the power that vests in this Assembly of controlling the currency policy of the country and will to that extent become a source of danger rather than an advantage to the public. We have asked for a State Bank which should be controlled by the Legislature, properly of course, according to laws and regulations laid down. We do not wish to control the banking system except to the extent and in the manner in which other civilised countries recognise the right of Legislatures to interfere with them. But we want a State Bank properly constituted and under the control

[Pandit Madan Mohan Malaviya.]

of the Legislature. We do not wish to hand over to any commercial body—though it may be regulated by an Act of the Government of India—the power to control the currency of the country, as the Government of India have had the power to control so long without consulting the Legislature. I also submit, Sir, that the larger question of providing the banking needs of the country is very important. The country has not had banking facilities provided for it to the extent that they should have been provided. If, Sir, we had those facilities, the country would have been happier to-day, far more prosperous than it can be under existing conditions. This also is one of the reasons, Sir, for my not being able to support the Finance Bill.

Now, Sir, let me sum up the situation. We find that the British Government in India have not treated us as it was promised to us that we would be treated. By reason of their failure to do so, they have maintained a policy which has been of unnecessary costliness to the country. Taking the largest item in the Budget, we find that under the constitution that has been given to us, out of an expenditure of 55 crores, only a sum of about 5 lakhs is votable by us. The rest of it is beyond our touch. I am speaking of military expenditure. Before the War the military expenditure stood at something like 29 crores. During the War, it went up to over 67 crores. When the Inchcape Committee reported they made recommendations that it should be brought down to the extent of 13 crores, and they said that the expenditure should be brought down in a few years to 50 crores if there was a fall in prices. Sir Purbotamdas Thakurdas has answered my Honourable friend the Finance Member on the question of the fall of prices. Taking the whole thing into account, the military expenditure should have been brought down by this time below 50 crores. It has not been so brought down. A Conference met at Brussels in 1920. At that Conference the Government of India were represented. That Conference laid it down that if any country spent more than 20 per cent. of its gross revenue on the army, that country was riding for a fall. The recommendations of that Conference should have been respected and the Government of India should have endeavoured to bring down the military expenditure of the country to 20 per cent. of the gross revenue of the country. But we find that the expenditure which stood at 29 crores before the War now stands to-day at 54.92 crores. I am aware, Sir, that prices have risen. But even after making that allowance, the expenditure is still far greater than it should have been. What then is the position? We have implored the Government of India to reduce the military expenditure for the last 40 years and more. Instead of that, they have raised military expenditure, and the Finance Member and the Commander-in-Chief have told us that there is no present prospect of that expenditure being brought down. We have, on the other hand, before us a prognostication which I read out to you of the possibility of another great war which a military authority predicts would take place within ten years. We find that the Government is pursuing a forward policy which involves us in very great expenditure. We find that the Government of India is by legislation maintaining indirect taxation at a high level. In 1922-23, the Inchcape Committee said that during the five years previous there was a deficit of 100 crores and they pointed out that since 1913 new taxation to the extent of 49 crores a year had been imposed upon the people. Only the octon excise duty has gone and some other small taxes, but the bulk

of the new taxes stands. Now, Sir, it is in this situation, that the Government of India ask us to support the Finance Bill. I ask my Honourable friends opposite not to misjudge us. I ask my Honourable friends not to misunderstand us. I put it to them without any desire to hurt the feelings of anybody and least with any desire to be obstructive or offensive. I put it to every Honourable Member sitting on the other side and in all parts of the House, whether they expect that any of us can find it in our hearts to support such a Finance Bill in such circumstances. We have prayed year after year that expenditure should be brought down. We have suggested means how that expenditure should be brought down. The means suggested have been approved. Resolutions passed by the Assembly were in the previous Assembly accepted by the Government. But Government have not taken action to the extent needed. I acknowledge what has been done. I am thankful for it. But what has been done is not sufficient. On the other hand we find that the great bulk of the people are living miserable lives, that the national average income of the Indian people is about one-twentieth of the national average income in England, that there is a large amount of unemployment in the country. The people are not thriving, they are not prosperous, they are not robust. The death-rate is high. Infant mortality is high. Companies do not flourish business is not prosperous. In such a situation, Sir, the Government of India bring forward the annual Bill to re-impose existing taxes upon the people, and we are asked to support it. I have not the heart to support it. I feel that I cannot in the circumstances of the case take up the responsibility of maintaining the existing taxation by supporting the Finance Bill. The Government of India exercise the power of expending the great bulk of the revenues that are raised by the taxes that are to be imposed. We do not exercise that power. As they exercise that power, the responsibility for imposing this taxation and maintaining it must rest on them. At any rate, Sir, it must not rest on me and those who think like me. This is the position we take up, Sir. Now, I want to say just a few words to my English fellow-subjects in this House and a few words to my countrymen. I have criticised the Government of India for many years. I have said at times hard things. I am sorry for it. I never meant to hurt any of my English fellow-subjects and I do not mean to. I do not wish the English connection, the British connection with India, to cease. I will quote here the words of Mr. Dadabhai Naoroji on this question, as they express exactly what I feel. Mr. Dadabhai Naoroji was a far greater critic of the Government of India than I have been. I am a pupil, if I may claim to be so, of that Grand Old Man of India. And after a life-time of criticism of the Government what did Mr. Dadabhai Naoroji say when the War broke out? He said to his countrymen:

"We are a people of the British Empire. Let us see what our duty and position are. If ever India expects to attain again the former glory on the advanced character and scale of the modern British civilisation of liberty, humanity, justice and all that is good, great and divine, it shall be at the hands of the British people and as self-governing members of the British Empire. We are all British Citizens of the great British Empire and that is at present our greatest pride."

He appealed to Indians to support the Government. And what did he say:

"Fighting as the British people are at present in a righteous cause, to the good and glory of human dignity and civilisation, and moreover being the beneficent instruments of our own progress and civilisation, our duty is clear to do anything to support Britain's fight with our life and property."

[Pandit Madan Mohan Malaviya.]

These were the words uttered by that Grand Old Man of India. Similar were the words, Sir, uttered by those of us who were in the Assembly at the time the War broke out. We do not wish to separate from England. We have no evil intention against England. But we want England to be just to us. What is the good of telling us that we are not ripe for a better constitution? What is the good of telling us that we are not able to judge what is for our good and in what way our country should be defended, that those who are sitting here as the duly elected representatives of the people cannot be trusted to vote such money as will be required for the defence of the country? Is there a single man here who is so bereft of a sense of responsibility and humanity that he would desire to see the country plunged in war or exposed to real danger? Why can we not then be trusted to deal with our expenditure, with our taxes, with the revenues raised in our country as Englishmen are able to deal with taxes raised in their country? Why cannot Government see that our people receive opportunities for military training? Why cannot they see that the promises of the past are fulfilled? Even as we sit here to-day, Englishmen and Indians working together, why can we not realise the picture of the future where Indians and Europeans, British fellow-subjects, would still be working for the good of India shoulder to shoulder, though of course the numbers will be different, as subjects of one King-Emperor? Have you been shorn of all wisdom and justice and righteousness that you cannot work for this noble end? If you do realise that picture, instead of having all the higher ranks of the army filled up by Britishers, and instead of having all the higher appointments of the Railway Board and the Railway services filled up by Britishers, instead of having all the higher appointments of the Indian Civil Service—the bulk of it—filled up by Britishers, what will you find in their place? You will find hundreds and thousands of educated Indians, Hindus, Mussalmans, Christians, Jews, Parsees and Sikhs, educated as well as you are, playing their part in the service of the motherland and of the King-Emperor. You have found that where Indians have been admitted to any Department on a test of equality, Indians have not failed. You have found that in all matters where Indians have had a fair field of competition, Indians have not rendered a bad account of themselves. You have found that Indians have not been unfaithful to you. Lord Birkenhead talks to-day of proofs of fidelity and friendship. Well might Indians say, it is you who have to give proofs of fidelity and friendship. You have failed to show fidelity; you have failed to show friendship. We have shown fidelity and friendship, Sir. How is it that the British people have been able to establish their rule in India? Time after time historians have said that it was with the help of Indians. Have we not supported them, since the time the British rule was established, except for the action of a small number of men during the short period of the mutiny? Have the Indian people ever risen against the Government of England in this country? Did we rise against them during the Great War? Have we any desire to rise against that Government even now? No, Sir; and yet we are asked to give further proof of fidelity and friendship and treated as if we were an uncivilised people. We are insulted by being told that we require stages of instruction to give proof that we are competent to administer our own domestic affairs. It is cruel, Sir. It is more than unkind; it is cruel; it is unjust; it is most unjust. I submit, Sir, that instead of talking lightly and taking a light view of things, every Englishman who

can understand what England owes to India, ought to ponder seriously over the situation. There is a time, Sir, which comes occasionally in human affairs, a period of test. That period of test came during 1914. At that time a fervent appeal was made to every Indian to stand by the Government. We are told that there might be another war in ten years. I hope that prognostication will prove false, because war is a great evil. But, Sir, if a war should break out, and if it should again become necessary for our British fellow-subjects to ask for the support of the Princes and the people of India, I wish them to remember that if by their treatment of the Princes and the people of India they alienate their sympathy, they will not be able to obtain their support as they did on the last occasion. Do I desire that it should be so? No, Sir. I want that we, Indians and Englishmen, should treat each other as equal fellow-subjects, should work together for the good of India—and of England. But in order that that policy should be adopted, it is essential that the present constitution should be changed, that the constitution which prevents us from dealing with 54 crores odd of expenditure of the military budget alone should give way to a better constitution; that a sense of responsibility to this Legislature should be imposed upon the Ministers as instruments of Government, that Government members should no longer be able to have a fling at us at every step where they do not agree with us, that they should not insult us when they are not able to appreciate our arguments, that they should regard us as equal fellow-subjects, who have like them a conscience, a judgment, and feelings which they wish to express. (*Sir Darcy Lindsay*: "Divide.") One word more and I have done. I wish to conclude by asking my Indian friends in this House to consider what lesson the position we are in teaches us. I admire Englishmen for their sense of duty, and for the unity, discipline and patriotism which they have. It is that which has enabled them—a handful of them—to come from across the seas and hold their sway in India. They have built up this great Empire by reason of their discipline and unity. It is the want of discipline and unity which is the cause of our degradation and disgrace. My countrymen, learn the lesson and make up your minds to change the present sad state of things for the honour of the land which has given us birth and for the glory of God who made us.

(*An Honourable Member*: "I move that the question be now put.")

Mr. President: The question is that the question be now put.

The motion was adopted.

(*Mr. President* then called on *Sir Basil Blacket*.)

Mr. B. Das: I will ask you for a ruling on one point, Sir, if you will permit me. Sir, it has been the practice in this House of your predecessor and yourself to allow different provincial representatives to represent their views in the budget discussion and in the discussion of the Finance Bill. To-day you have been pleased to allow 4 United Provinces and 8 Bombay Members

Mr. President: Order, order. My predecessor had his own way. I have my own of regulating the debate.

(*Mr. B. Das* then resumed his seat. *An Honourable Member*: "Shut up.")

Mr. B. Das (while sitting): Very unfair.

Mr. President: Order, order. Will the Honourable Member withdraw that remark?

Mr. B. Das: I bow to you, Sir, and withdraw it. I was replying to my friend.

The Honourable Sir Basil Blackett: Sir, my first duty is to lay on the table a declaration by the Governor General in Council under section 87A (7) of the Government of India Act regarding certain Demands refused by the Assembly. In pursuance of that section the Governor General in Council is pleased to declare the following Demands essential to the discharge of his responsibility. The Demands restored are the Railway Board, Rs. 9,42,900, the Executive Council Rs. 59,999 and the Army Department Rs. 5,78,000. The House will remember that in the

2 P.M. last case there were three cuts, one of the whole of what was left by the refusal of the grant and two separate cuts of Rs. 1,000 and 10,000 respectively. I hope that those who charge Government with not being anxious to reduce military expenditure will recognise as an earnest of our good intentions the fact that we have accepted cuts amounting to Rs. 11,000 in regard to the Army Department (*An Honourable Member*: "Very creditable.") though I would like to tell the Honourable Pandit who has just spoken that that is not military expenditure but civil expenditure. I do not propose to follow the Honourable Pandit's speech. The Honourable Pandit, however, referred to military expenditure and quoted, as has been quoted before, his view of what the Brussels Conference said on the subject. I wish he would read the views of the Brussels Conference on the question of a central bank and its relation to the State. Perhaps if he will give equal credit to the Brussels Conference in the matter of the central bank he will not still desire to turn the Reserve Bank into a State Bank which is directly contrary to the recommendations of the Brussels Conference.

Pandit Madan Mohan Malaviya: Do they know our requirements and our situation better than we do?

The Honourable Sir Basil Blackett: The same may be true as regards the application of the 20 per cent.

Pandit Madan Mohan Malaviya: Act according to Indian opinion. Follow Indian opinion.

The Honourable Sir Basil Blackett: The Honourable Pandit who spoke last had some kind things to say about the British constitution and its working in England. I must therefore protest against his suggestion that the War Office governs Parliament, which did not seem to me quite to square with the constitution of Great Britain.

Pandit Madan Mohan Malaviya: So far as the Indian Army is concerned, the War Office has been the curse of the situation.

The Honourable Sir Basil Blackett: What the Honourable Member said was that it governed the Parliament and it is an entirely unfounded statement.

Pandit Madan Mohan Malaviya: I am sure the Honourable Member understands what I mean, that the War Office has imposed charges upon India which would not have been sanctioned by Parliament and which were not sanctioned by the Secretary of State, and the Government of India have several times protested against the action of the War Office

The Honourable Sir Basil Blackett: I must deny that the War Office has imposed any charges on India. That is not the constitutional position. I protest against that statement.

I do not think that it is necessary for me either to follow Mr. Ranga Iyer's speech in which he discussed at great length the view that there should be no taxation without representation. It took him 2½ hours to do it and I think what he convinced us of was that he can make no oration without misrepresentation. There were some serious points which I should have been glad to have more time to deal with. Sir Purshotamdas Thakurdas referred to our military expenditure and I should be glad to look carefully into the points that he raised, particularly in regard to Aden. I can tell him that the question of capital expenditure there is one that was carefully taken up by the Government of India and brought into connection with the general question of the outstanding war claims. In regard to prices I think it would be useful if I were to endeavour to work out a statement showing which classes of prices are really the ones which affect our military expenditure most. The point that I have made is not that military expenditure is not affected by the general level of prices as a whole, but that the prices of foodstuffs and cereals, which have, as a matter of fact, as the result of stability of exchange, gone up so remarkably in the course of the last 2 or 3 years, are the ones which affect the military expenditure in a very much greater degree than the general prices to which he referred.

As regards Kathiawar, I really think that it would be better if I added nothing to what I said before. I have taken a very careful note of the speech made by my Honourable friend, Sir Purshotamdas Thakurdas, and by Mr. Haigh. The Government of India recognise the great importance of the views expressed and the urgent necessity of arriving at a solution of this very difficult subject. I think that I may take the views expressed by this House as amounting to something like this, that the present condition ought not to continue, that while fiscal interests are one point that must be considered commercial interests are also important and that the development of all the ports of India is for the good of India as a whole. If we can arrive at some solution, which, without interfering with the economic development of all the ports of India, at the same time can protect the fiscal interests of the Central Government and the commercial interests of the various ports concerned, then I for one shall feel that, in spite of all the delinquencies of this Government, they will have contributed something to the betterment of India.

I do not think I need reply to the objections raised to the carrying of this Bill. Whatever the position may be, I think that the Honourable Pandit's suggestion that this Bill should be thrown out merely as a demonstration

(At this stage Pandit Madan Mohan Malaviya rose).

I cannot give way. The Honourable Member has spent many hours speaking to me and he might listen to me just for a few minutes.

Sir Purshotamdas Thakurdas: He only said he could not support it.

The Honourable Sir Basil Blckett: Then I need not continue, as there is no opposition to the Bill, and I need not defend it further.

Pandit Madan Mohan Malaviya: There is opposition.

Mr. B. Das: Sir, when I was addressing you a few minutes ago, I sat down after you gave your ruling. Then some people asked me to "shut up." So I told them that it was very unfair on their part to say so. The remark was overheard by the Chair, but I may tell you, Sir, that I never meant it for you.

Mr. President: I am satisfied with the explanation given by the Honourable Member. I then thought that the words were addressed in relation to the Chair. I am glad to be informed that it was not so. Any way, Honourable Members should use more restrained and guarded language in this Chamber.

The question is:

"That the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to fix maximum rates of postage under the Indian Post Office Act, 1896, further to amend the Indian Tariff Act, 1894, the Indian Stamp Act, 1899, and the Indian Paper Currency Act, 1923, and to fix rates of income-tax, as amended, be passed."

The Assembly divided:

AYES—66.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Matin Chaudhury, Maulvi.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmed, Mr. K.
 Akram Hussain Bahadur, Prince
 A. M. M.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ariff, Mr. Yacoob C.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayyangar, Mr. V. K. Aravamudha.
 Ayyangar, Rao Bahadur Narasimha
 Gopalaewami.
 Bhore, Mr. J. W.
 Blackett, The Honourable Sir Basil.
 Chalmers, Mr. T. A.
 Coatman, Mr. J.
 Cooke, Mr. H. G.
 Dalal, Sir Bomanji.
 Donovan, Mr. J. T.
 Dunnett, Mr. J. M.
 Gavin-Jones, Mr. T.
 Ghulam Kadir Khan Dakhan, Mr.
 W. M. P.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Greenfield, Mr. F. H. C.
 Haich, Mr. P. B.
 Hezlett, Mr. J.
 Howell, Mr. E. B.
 Hussain Shah, Sayyad.
 Innes, The Honourable Sir Charles.
 Jinnah, Mr. M. A.
 Joshi, Mr. N. M.
 Jowahir Singh, Sardar Bahadur
 Sardar.

Kabul Singh Bahadur, Risaldar-Major
 and Honorary Captain.
 Keane, Mr. M.
 Khin Maung, U.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Macphail, The Rev. Dr. E. M.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji
 Chaudhury.
 Moore, Mr. Arthur.
 Muddiman, The Honourable Sir
 Alexander.
 Muhammad Nawaz Khan, Lieut.
 Sardar.
 Nasir-ud-din Ahmad, Khan Bahadur
 Paddison, Sir George.
 Parsons, Mr. A. A. L.
 Rajah, Rao Bahadur M. C.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Rao, Mr. G. Sarvotham.
 Rau, Mr. H. Shankar.
 Roy, Mr. K. C.
 Roy, Rai Bahadur Tarit Bhusan.
 Roy, Sir Ganen.
 Ruthnaswamy, Mr. M.
 Sarda, Rai Sahib Harbilas.
 Saasoon, Sir Victor.
 Shah Nawaz, Mjan Mohammad.
 Singh, Rai Bahadur S. N.
 Sahrwardy, Dr. A.
 Sykes, Mr. E. F.
 Tomkinson, Mr. F.
 Willson, Sir Walter.
 Yakub, Maulvi Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Nawab Sir.

NOES—29.

Abdul Latif Saheb Farookhi, Mr.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Mr.
 Chunder, Mr. Nirmal Chunder.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Sriish Chandra.
 Goswami, Mr. T. C.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Kelkar, Mr. N. C.
 Lajpat Rai, Lala.

Malsviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Moonjé, Dr. B. S.
 Naidu, Mr. B. P.
 Neogy, Mr. K. C.
 Ranga Iyer, Mr. C. S.
 Roy, Mr. Bhabendra Chandra.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Gangenand.
 Sinha, Mr. Ambika Prasad.
 Tok Kyi, U.

The motion was adopted.

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

The Assembly re-assembled after Lunch at Half Past Three of the Clock. Mr. President in the Chair.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE ON THE AMENDMENT OF STANDING ORDERS.

Mr. C. Duraiswamy Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadan Rural): Sir, I beg to present the Report of the Select Committee appointed to examine and report on the motion for amendment of the Standing Orders moved by Mr. A. Rangaswami Iyengar and myself.

THE GOLD STANDARD AND RESERVE BANK OF INDIA BILL.

MOTION FOR REFERENCE TO JOINT COMMITTEE.

The Honourable Sir Basil Blackett (Finance Member): Sir, I move:

"That this Assembly do recommend to the Council of State that the Bill to establish a gold standard currency for British India and constitute a Reserve Bank of India, be referred to a Joint Committee of this Assembly and of the Council of State, and that the Joint Committee do consist of 28 members."

With your permission, Sir, I should like to alter the figure 24 to 28.

In regard to this Bill I do not think it is necessary that I should make any long explanatory speech. At the time when the motion for the circulation of this Bill was moved I spoke for something like an hour endeavouring to give a full exposition of the contents of the Bill, and I gather that there is a general agreement that the time has come to attempt something on the lines of what is proposed in this Bill and that the matter should be referred to a committee for examination. The Statement of Objects and Reasons itself sets out fairly fully the contents of the Bill and the principle that the time has come for the unification of the control of currency and credit in this country is I think one which has met with general acceptance. I therefore, Sir, will confine myself to moving this motion. I might add that the intention is that, if this motion and the next motion are carried, this Bill and the Imperial Bank of India (Amend-

[Sir Basil Blackett.]

ment) Bill should both be considered by the same Committee. Sir, I move.

Mr. Jamnadas M. Mehta (Bombay City: Non-Muhammadian Urban): Sir, I oppose this motion for a Joint Select Committee. I do not see why Government should go in for a Joint Select Committee. In a matter which is so important this House should consider its own position and formulate its own judgment independently without being mixed up with the views of the other House. There is a precedent in regard to this matter. Last year it was proposed by the Commerce Member that the Insurance Bill should be referred to a Joint Select Committee and the same difficulty arose, namely, that in a matter which was controversial, which was not purely formal, in a matter which required long discussion and debate it was not fair to this House that it should be mixed up with the other House and come to any joint conclusion. When we discussed that proposal for a Joint Select Committee last year on the Insurance Bill, the Government recognized the fairness of our opposition and agreed that the motion for a Joint Select Committee should be withdrawn. A motion for a separate Select Committee of this House was accordingly made and the Bill was referred to that Select Committee. I do not know how, with so recent an experience, the Government could have proposed a Joint Select Committee in a matter which is far more important and vastly more controversial than the Insurance Bill was. There is agreement only on the principle that the credit and currency position of the country should be concentrated in one authority. The agreement extends only to that and no more. The moment you enter into the details there is a great field of controversy which may be envisaged from the views received by Government and circulated to this House in response to the motion for circulation. We find bank after bank and individual after individual pointing out where the bank or the individual differs from the Government's proposals. You will find that the future of the Imperial Bank is a subject of very serious controversy; the terms offered to the Imperial Bank are the subject of very serious controversy; even the question whether there should be a separate bank as distinct from the Imperial Bank is a matter of heated controversy. I have read a representation from one of the banks which has been circulated with these papers which shows that the indigenous banks are afraid that the terms offered to the Imperial Bank are such, and the obligations imposed upon indigenous banks who will form part of the Reserve Bank organization are such, that these indigenous banks will be seriously prejudiced and the Imperial Bank will be a sort of organization hostile to them, working against them and yet subsidised by Government at the cost of the indigenous banks. These are some of the controversies which I find raised in the opinions circulated, copies of which have been received by us through the Government. It does not stop there. I find that the Chairman of the Central Bank of India in a speech which he delivered at the last annual meeting, has gone into this question of a Reserve Bank and has expressed himself very strongly on the point. That shows that the matter is full of controversy and difference of opinion. Here is what he says:

"The theoretical basis of this novel piece of legislation is undoubtedly sound. That the control of the currency and credit should be concentrated in a single Bank no one will deny. The object of the Bill is to secure unity of policy in the control of currency and credit. We all want it. But the question is, do the provisions of the Bill warrant the assumption that this object will be successfully carried out."

And he proceeds to argue that it will not be carried out. Then, Sir, there is the further controversy whether this Reserve Bank, if at all it is started as distinct from the Imperial Bank, should have a share capital; whether it should be on the British model, or on the Australian model or on the model of the Federal Reserve Bank of America. On all these matters people who have a right to speak differ seriously from the position of the Government. Some people think that to have a share capital will be to hand over this central organization into the hands of people who might control it for their own and not the public interests. They think also that if there are shares those who control the shares will also determine the control of the Bank's activities. I think that in a matter like this, therefore, this Assembly should not be mixed up with the other House and should be allowed to have its own views formulated properly after deep consideration independently of the views of the other House.

I do not want to enter into further controversial questions on the merits of the Bill, but I do want to say that there is another objection which I feel I ought to state. The motion to have these two Bills referred to a Joint Select Committee assumes that the House has already accepted the position taken up by Government that there ought to be a separate bank called the Reserve Bank and another Bank called the Imperial Bank. I desire to challenge that assumption and to state clearly that this House has not accepted any such assumption. But the motions, as well as the Bills, which are being run parallel to each other, assume that this House is committed to the acceptance of two separate banks functioning on the lines they have laid down. That has not been accepted by the House. I should have thought that the Imperial Bank legislation is merely consequential and might have waited till the House had expressed its desire one way or the other as to whether it wanted a Reserve Bank as a separate bank or it did not want it. If the Imperial Bank is not to be used for performing the functions of a Central Bank, then the question arises whether it should perform the functions of a purely private Joint Stock Bank or whether it should continue as a State-aided Bank as the Bill proposes. I think, Sir, it will open up a very serious problem if we agree to have two banks here. I do not think the country has been called upon to pronounce whether it was agreed that there should be two separate banks, and I wish the Government did not press at this stage these two aspects of the question, that there should be one Select Committee of both Houses to consider the two Bills together, because, Sir, we are not at all agreed at this stage,—I do not say that eventually we may not agree,—the question is still open. We have to study a lot in this matter. The literature that we have is all too little. We have only some literature relating to the Federal Reserve Bank of America and some literature about Australia's Bank and at this stage I am not prepared to commit myself to the view that we want two banks both subsidised by the State. They may be too costly and prejudicial to the interests of the indigenous banking industry of the country. Even supposing we agree to have two banks, I do not want that the question should be jointly considered by this House as well as by the other. I hope, therefore, the Government will not press this motion for a Joint Select Committee at this juncture.

The Honourable Sir Basil Blackett: Sir, this Bill and the Imperial Bank Bill together are two very important Bills. It is most important that they should be examined by a Committee containing all the best

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available brains on the subject in the two Houses of the Legislature. This House in no way infringes its own rights or gives away any of its own rights in regard to the examination of this Bill when it returns from the Joint Committee, if it agrees to a Joint Committee. On the other hand, owing to the rule that a Select Committee cannot be appointed by one House if there has already been a Select Committee on that Bill in another House, a motion for a Select Committee in this House deprives the other Chamber of any power of examining this Bill in a Committee. The constitution intentionally gave special representation in the other place to representatives of commercial and industrial interests, and it is most desirable that, when an opportunity arises of taking advantage of those who have special knowledge, it should be used. Government are unable to accept the suggestion of Mr. Jamnadas Mehta that they should withdraw this motion, and they very much trust that the House will see that in its own interest and in the interest of the country it is desirable that it should be referred to a Committee fully representative of every one in the matter.

Mr. President: The question is:

"That this Assembly do recommend to the Council of State that the Bill to establish a gold standard currency for British India and constitute a Reserve Bank of India, be referred to a Joint Committee of this Assembly and of the Council of State, and that the Joint Committee do consist of 28 members."

The motion was adopted.

THE IMPERIAL BANK OF INDIA (AMENDMENT) BILL.

MOTION FOR REFERENCE TO A JOINT COMMITTEE.

The Honourable Sir Basil Blackett (Finance Member): Sir, the next motion which I move is strictly consequential. Mr. Jamnadas Mehta has suggested that it is not desirable that this Bill should be referred to the same Committee as the previous one, but it is, as he pointed out, legislation that is consequential on the other. The two obviously go together. I do not say that it is not possible eventually to give one decision about one and another decision about the other; but the two Bills obviously go together. If this Bill is not referred to the same Joint Committee as the Gold Standard and Reserve Bank of India Bill, it will in effect have to be examined by that Committee. I do not think, therefore, that the objection taken to this Bill being referred to the Joint Committee has any substance; in effect, it must be examined by the same Committee. Whether it is formally referred to that Committee or not, that Committee must examine its contents, and it is obviously, I think, in the interests of expedition that the Committee should examine the Bill and report on it to this House, a Committee that will have informed itself fully on the subject when it deals with the former Bill. The purposes of this Bill are fully explained in the Statement of Objects and Reasons, and, as in the case of the former Bill, I do not think it is necessary that I should at this stage enter into any exposition of the subject. Sir, I move:

"That this Assembly do recommend to the Council of State that the Bill further to amend the Imperial Bank of India Act, 1920, for certain purposes, be referred to a Joint Committee of this Assembly and of the Council of State, and that the Joint Committee do consist of 28 members."

The motion was adopted.

RESOLUTION RE SALARIES OF THE TWO MEMBERS OF THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL POSSESSING INDIAN EXPERIENCE.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I beg to move the following Resolution:

“ This Assembly recommends to the Governor General in Council to take steps to secure—

- (1) in the case of future appointments the enhancement of the salaries paid to the two members of His Majesty's Privy Council with Indian experience who sit on the Judicial Committee under the provisions of the Judicial Committee Act of 1833 to hear Indian appeals;
- (2) that they shall be persons possessed of recent knowledge of Indian law and practice;
- (3) that their salary shall be £4,000 per annum each, half of which shall be paid from Indian revenues; and
- (4) that during any period when this salary is enjoyed any pension payable to either of them from Indian revenues shall lapse.”

Sir, this is a Resolution with a history. It has been before the Assembly before, though not before the Assembly as at present constituted. I brought an identical motion before the last Assembly on the 3rd February, 1926, and at that time I spoke at great length, and reading my speech in the full light of subsequent events, it seems to me, I spoke with considerable eloquence. (Laughter.) I think in a House which has suffered from a torrent of eloquence in the last few days that I should restrain myself to what is essential for putting forward my case. I will at any rate endeavour to be as brief as the circumstances admit. I have no doubt, moreover—indeed, I have every reason to believe it to be true—that many Members here have read the debate on the previous records of this House, and, therefore, to those Members who have so far done us the justice to consider the matter, I must be merciful. But there may be, and no doubt there are, a few Members who have not done so, and therefore I must state the case briefly. Before I come to the actual Resolution that I have laid before the House, I must give the House a short account of what has taken place in the past in regard to this matter. This question of giving additional assistance to Their Lordships of the Privy Council in the disposal of Indian appeals is one in which I personally have taken a very great interest. It goes back to the time when I served in another department, and when I was under the orders and guidance of a very distinguished lawyer, Sir George Lowndes. He and I, or rather I should say he, pressed on the Government of India the desirability of improving the arrangements for hearing Indian appeals with all the force of his intimate knowledge of the decisions of that tribunal.

Well, Sir, one of the points of attack that was taken on the last occasion was that this was a proposal which had been forced on an unwilling Government of India by a wicked Secretary of State. Now, it is not necessary for me to defend the Secretary of State. He is quite able to take care of himself. But this is not a question where the Government of India were in any sense coerced. We moved in the matter also, and we moved of our own motion. Now, it is quite obvious that a change in the system for hearing Indian appeals and supplementing the salaries of those that hear them requires the concurrence of a number of authorities. First of all, it requires the concurrence of that hard-hearted man, the Honourable the Finance Member. Secondly, it requires the concurrence of the Government of India who are never, if I may say so, particularly favourable to expenditure on judicial matters. Having overcome

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those two fences, the next fence that faces any one who wishes to go on with this judicial reform is the India Office and he must also obtain the concurrence and the active support of the Lord Chancellor. Well, Lord Chancellors, as the House doubtless knows with its intimate acquaintance with them, are not persons who are very easy to move and behind that luminary of the law stands another dreadful dragon, and that is the British Treasury. Well, Sir, to get all these forces into line is no small achievement and after many years the stars completed their courses and the wheel of fortune came full circle. We had the great advantage that the then Viceroy was himself a most eminent lawyer and had been the Chief Justice of England. We had a complacent British Treasury and we had all necessary support at home. When I moved my Resolution on the last occasion I thought there was really some hope of this small reform going through. But I had forgotten there was an obstacle in the path of progress more serious than the British Treasury and more formidable than the lions of the Crown. This was the Assembly. I regret to say that the House, though it will no doubt proceed to revise its decision, on that occasion, by a vote of 50 to 40, would have nothing to do with my proposals and turned them down with contumely. I hope, Sir, though I can hardly say I am confident, that I may lead this Assembly into more reasonable paths, and that the House will also aid in this reform which I myself regard as a most important matter. On the last occasion when I was replying I complained of the very few Members who were attending the discussion after lunch. But on this occasion, either owing to the compulsory fast which we have all undergone—at any rate up to two o'clock—(laughter) there are more Members in the House and I hope I shall not have to say, when I rise to reply, that I am suffering from a feeling of extreme dejection.

On the last occasion an eminent lawyer in this Assembly was good enough to explain to us that the Judicial Committee is not really a Court. I thought that was really pressing the historical genesis of the Judicial Committee rather far. Of course, they are, in common parlance, a Court and, I see, the Attorney General, speaking in the House of Commons, referred to them as a Court. His actual words were—and I hope my Honourable friend will not take his old point again—

“As the House knows the ultimate court of appeal for England, Scotland and Northern Ireland is the House of Lords and for all the other parts of the Empire the Privy Council.”

Therefore, if the Attorney General is prepared in general parlance to concede that the Judicial Committee is a court, I at any rate may be pardoned for erring in this very good company.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): The Attorney General is, I submit, absolutely wrong. In Canada, South Africa and Australia, the Privy Council is not the Court of Appeal and everywhere else the decree is passed by the King. The Privy Council only advise.

The Honourable Sir Alexander Muddiman: Sir, I have no doubt the Attorney General will be extremely wounded by this reflection of the Honourable gentleman. But I myself am perfectly content to be in error with the Attorney General. Now, Sir, despite my Honourable friend **Sir Hari Singh Gour**, I affirm the proposition that a Judicial Committee is the highest Court of Appeal for all parts of the Empire outside England, Scotland, and Northern Ireland. Now, the work of the Judicial Committee.

as probably every one in this House is aware, consists very largely of the Indian appeals. The last time I spoke, I gave the House a few figures and I regret to say that they were not very recent figures. But I have obtained rather more recent figures. The number of appeals before the Judicial Committee from 1911 to 1917 excluding Prize Court Appeals, which of course is a class of work which arose entirely out of the War and ceased with the War, were Indian appeals—514, and other appeals—365. That gave roughly an average for Indian appeals of 73 per annum. That is, the Indian appeals formed 58 per cent. of the work of the Judicial Committee. I have now got the figures from 1917 up to date. From 1917 to 1926, the average number of Indian appeals was 88, and this represented 65 per cent. of the total work of the Privy Council. It is also in the knowledge I am sure of most of the Members of this House that the Privy Council now habitually sits in two divisions. One division deals with Indian appeals and the other division deals with the appeals from the Colonies and other Dominions. As a matter of fact, rather more than half the work of the Privy Council comes from India. Now, Sir, it was early recognised, very early in the history of the Privy Council and very early in the history of the judicial relations between the home country and India, that it was desirable that there should be some special assistance afforded to Their Lordships of the Privy Council when hearing Indian appeals, and in 1838 an Act was passed, known as the Judicial Committee Act, which provided that there should be persons learned in Indian law who should sit on the Privy Council in the hearing of Indian appeals and who should be remunerated by the munificent sum of £400 a year. And that sum was found by the British tax-payer, and he has been finding it for nearly a hundred years. Apart from that, there is one other Judge with Indian experience, who is appointed by an amending Act to which I need not refer in detail, who sits without any salary. Now, I do not think anybody can seriously controvert the proposition that, if Indian appeals are to be heard in London, it is desirable that they should be heard in a way which will ensure a Court which is likely to command the entire respect of those who resort to it. I agree entirely with what Sir Douglas Hogg said in the House of Commons on the 3rd December. He was then discussing a Bill to which I shall refer later which was before the House. He said:

“ While we have that Court ”

—(he was referring again to the Privy Council as a Court, though purists would demur)—

“ While we have that Court, it is of the first importance to this country as well as to the dominions that the personnel of the Court should be such as to command the respect of all those whose appeals may come before it.”

Well, Sir, I think that is a proposition that the House will not generally be inclined to deny. I can understand the view of those who
 4 P.M. do not want appeals to go to England at all. I can understand also the view being taken that you do not want to pay for improvements. That is a very common view. I can understand the view that you wish to have no connection with any English courts. That is another possible view. But if you take the view that the appeal should be heard in London, you may also take the view that it should be heard by a competent court.

Mr. T. C. Goswami (Calcutta Suburbs: Non-Muhammadian Urban): So far the court has not been competent—is that the contention?

The Honourable Sir Alexander Muddiman: My Honourable friend, I think, has often said so. I do not subscribe to that view. If he has read my speech on the previous occasion he would have seen it.

Mr. T. C. Goswami: If it has been so very competent, what is the idea of making it more competent?

The Honourable Sir Alexander Muddiman: The position is, as I say, there is a large volume of business coming before this Court and it is desired to strengthen the Court. Sir Douglas Mogg went on to point out the next step in the procedure was that when the late Viceroy, Lord Reading, was in England, this matter was the subject of discussion between the Secretary of State for India and the Lord Chancellor, and that, Sir, was the time when there came into harmony all those conflicting forces which without such intervention would certainly have remained unreconciled. Nor do I think that this House will seriously argue that the remuneration provided under the existing law is in any way adequate to the services rendered. The payment of £400 per year to Judges who sit and determine appeals of this importance and magnitude will, I think, by common consent be regarded as inadequate. I do not propose to stress that aspect of the question. The position, therefore, is this, that the English revenues and the English legal resources provide the very best lawyers in England who sit without any charge to you and hear your Indian appeals, and in addition, the English revenues at present provide a remuneration, however, inadequate it may be, amounting in all to £800 a year by which some Indian experience is imported into the Privy Council. Well, Sir, that was the position as it stood, and if my Resolution is accepted the position would be that you would still have the advantage of these distinguished lawyers—these distinguished Indian lawyers—and you would still receive from the English revenues a contribution towards the Indian experience in the Court 10 times as much in amount as is the case at present and you would secure that by a payment of £4,000 in appreciated rupees from your own revenues.

The House may ask why after having received a rebuff in the last Assembly, I venture to come forward again to present the case before this House. Sir, I have two reasons, perhaps more, but two only occur to me at the moment. The decision of the House when I last moved this Resolution attracted considerable unfavourable comment in quarters which are not usually very friendly to Government. I think there are many who look on any proposals that proceed from these Benches, and particularly possibly from me, with great suspicion. But on this occasion there were those who doubted whether the Assembly had been quite wise in throwing out the Resolution. That was one of the reasons that emboldened me to renew my proposals. The second reason, Sir, was this. In another place this Resolution was brought forward not by Government but by a non-official Member and it was adopted without a division. I think, therefore, I am justified in hoping that this Assembly may take a more favourable view of the proposition. After the Assembly had refused to entertain the present proposal the Home Government brought forward a Bill in the House of Commons on the 1st December, 1926, and the Attorney General moved and got the second reading of the Bill. But he explained quite clearly to the House that as far as the Bill then stood, it would only provide a charge on the English revenues, that is to say, that it proposed to pay £2,000 for each judge from English revenues.

Unless and until the Indian Legislature were prepared to put its hand in its pocket, that would be the pay of the judges. He made it clear, moreover, in debate that if this Assembly was not going to agree to the proposition, there would be no attempt to use any special powers to ensure the money being found, and that the whole question of the extra £2,000 would rest with this Assembly. We have often seen that this Assembly has got no real responsibility. In this particular matter it has got a very definite responsibility and I can assure the Assembly here and now that if they reject this Resolution, there is very little likelihood of the Bill being proceeded with in the House of Commons and that we may well be left in the position we are now in. I do not know whether this House thinks that we are going to get many able Indian lawyers to go home and stay for some years and get £400 a year for doing so. That is a point that I hope the House will consider.

Mr. C. Duraiswamy Aiyangar: Did I hear the Honourable Member say "Indian lawyers"?

The Honourable Sir Alexander Muddiman: I said Indian lawyers, and by Indian lawyers I include all those who have practised the law in India. (Laughter). I have no authority to say it, but I think anybody who has read the debates in the House of Commons must be well aware of it, that the Bill is likely to be a dead bird, to use a colloquialism, unless this Resolution is accepted by this House. Everybody knows that the British Treasury at this moment is probably more heavily pressed than the treasury in this country so ably conducted by my Honourable friend Sir Basil Blackett. (*An Honourable Member:* "Question.") My own experience—and it is a bitter one—is that whenever there is a question of retrenchment it is in the judicial department that the retrenchment is apt to be enforced, which I regard as a very undesirable habit.

Now, as far as I can see, I would ask the House to bear with me if I am unfair—I have no desire to be unfair—as far as I can see, those who oppose this Bill fall into three classes. The first is composed of those who would like to weaken every link that binds India to the rest of the Empire. (*Mr. T. C. Goswami:* "Hear, hear".) I am glad to hear that voice supporting me, for I am free to admit and my Honourable friend can take it that the Privy Council is such a link, and if you strengthen that Court, you would tighten that link. I make a present of that to any one who opposes my Resolution on that ground. But I do not think I need address any other arguments to a person who takes that line. Those who desire that—it may be proper from their own point of view—but it is obvious that no servant of the Crown and no loyal subject can have any sympathy with that view. Those who would oppose this Resolution because they desire to weaken the links of the Empire I do not desire to address further.

The next class of persons who object to this Resolution are those who look forward to the time when India will have her own Supreme Court. I do not wish to revive the controversy on that question. But the actual position is this. The last time that that proposition was brought forward in this House the motion was lost by a large majority. I do not want to put it too high, because as I am asking the House to change its opinion on this Resolution, it may change its opinion on that

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matter too, but I hope that the result of that motion for the establishment of a Supreme Court does show that there are a number of persons, and I believe they are in a majority, who think that the time for a Supreme Court has not yet come. But I do not think that the fact that others desire a Supreme Court ought to take them into the opposite lobby to me. They must surely recognise that the Supreme Court is not in sight, is not even on the horizon—I do not say it will not come, it may come—but it is not in sight. In the meantime, why should they oppose what is a harmless attempt to improve the present arrangements for the hearing of the Indian appeals? Because they hope for the establishment of a Supreme Court in a far distant time, it does not seem to me that those two positions are incompatible. I do not ask them to give up their scheme of a Supreme Court. I do not ask them not to agitate for it: but I do ask them not to oppose this Resolution.

There is a third class of persons who, as far as I can gather from the debates, appear to be influenced by some idea that in this matter India is not being well treated by the Home Government, as compared with the Colonies. That I desire entirely to explode, and I think that any fair-minded man will agree that it can be exploded. Both the Colonies and India get, free of all charges on their own revenues, from the Home Government, the very best legal talent available. On the last occasion I moved this Resolution I read out to the House the constitution of the Judicial Committee. There are so many lawyers in this House and I am sure so many Members have read my previous speeches that I do not wish to bore the House by reading them again. But it will be remembered that the Dominions and India get free of all charge the best lawyers available in England. It is true that certain Colonial Judges are appointed members of the Privy Council, and it is true that they can take part in the hearing of the appeals. But in so far as they do so, it is entirely at the expense of those Colonies. The British Government make no contribution towards their expenses and if they come and sit in Westminster, their Government I presume, but certainly not the English Government, has to pay their expenses. But that is not the case in regard to India. The British Government have at the present moment and for some hundred years charged the British tax-payer with the payment of £800 a year for the two Judges with Indian experience and they propose, as I have stated before, to go further and provide a total salary for those Judges of £4,000 a year. Really it is not right or fair, therefore, to argue that the Home Government is treating the colonies better than it is treating India. The facts are quite otherwise. India has been better treated than any of the other dominions or colonies.

Another point which on the last occasion I think may have prejudiced my case and for which perhaps I am myself to blame was that there should be a definite pledge that all the appointments would be made from persons who have not merely practised in India but were Indians. I was not then able to accept an amendment to that effect. As I made it plain then and I make it plain now, we intend to get the best men we can irrespective of race. But when I find that my refusal to accept this amendment is used as an argument why the additional salary should not

be given, then I must say that I feel some difficulty. Obviously, if you are going to get an Indian who is a lawyer in full practice, who is a man commanding a large income, you are not likely to get him to go to England and live there for a considerable number of years on a pay of £2,000 a year. The larger pay is in itself a very good reason why Indians are more likely to be appointed than if you have a smaller pay. I cannot understand myself, nor do I believe the House will take the view, that a brilliant Indian lawyer, unless he is one of those Indians who has become anglicised and desires to spend the rest of his life in England, will care to go to that country, live there and do strenuous work on a pay of £2,000 a year. I do not think it is possible. Therefore, if you do not provide this extra money for the purpose of augmenting the pay of these Judges, you will be making it more difficult for Indians to take part in the proceedings of the Privy Council, and you will make it infinitely more difficult if the House entirely rejects this proposition and the English Government drop their Bill. Certainly, if you will not get brilliant Indian lawyers to live in England for a period of years for £2,000 a year, you will not get them for £400 a year. On the last occasion I took an opportunity of referring to the past services of the Privy Council to India. I gather from the debates I have recently heard in this House that arguments based on past services are not well received. I was told the other day that gratitude is unknown. It may be so, at any rate I am not going to stress that aspect of the case on the present occasion. I do not appeal to the gratitude, I appeal to the intelligence and the self-interest of India. I do think that it is in the best interests of this country, at any rate at the present moment, that it should have its appeals heard by a tribunal which, if constituted in the manner it would be constituted if my Resolution is accepted, would be an unrivalled tribunal.

I have spoken at some considerable length, longer than I had intended, but this is a subject which is rather dear to my heart. I do hope that the House has not come in, as it sometimes does, having made up its mind not to listen to what is said on this side of the House, but that Members will approach this question with an open mind, that they will see that really with the exception of the first class of persons whom I have mentioned, and whom I have no hope whatever of convincing, that they have no substantial reason for voting against this Resolution. Moreover, I am convinced that this is the last time the proposition will be brought forward before the House. If on this occasion the House turns it down, I think they have heard the last of it; I think they have heard the last of the Bill which is pending in the House of Commons and we shall have to go back to the arrangements now subsisting. That is really a very serious matter. I know the House is at times very prodigal. We know that three crores of rupees of taxation were lost in two hours. This is not a question of three crores in two hours, but it is a question of the future judicial administration of this country for a considerable period of years. I can tell the House that the question of Supreme Court is certainly not likely to be decided in a very great hurry. Moreover, I press on the House this point of view that, having regard to the services rendered by the Privy Council and the services to be rendered by the Privy Council as strengthened under my Resolution, the amount of money involved is really a very small matter. You add, with the greatest pleasure and without the slightest objection in the local Councils, to the

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strength of Sub-Judges, District Judges and High Court Judges, and yet what is it that we are asking you to provide to add strength to the final tribunal of the Empire? £4,000 or Rs. 60,000 a year. I do not think the House will be able to get a competent Judge for less than that. I do hope the House will therefore take a favourable view of this Resolution and support it.

Mr. M. S. Aney (Berar Representative): I beg to move the amendment that stands in my name:

"That in clause (2) after the word 'persons' the words 'who are bona fide residents of India and' be inserted."

The amendment only means this, that the persons with recent experience of Indian law and practice should be Indians. That is what the amendment is really intended to mean and I will try to address the House on the points relating to this amendment only. The necessity of having the highest judicial tribunal located in London is admitted in a way as an unavoidable necessity under existing conditions. Having conceded that necessity the question reduces itself to this simple form. If any contribution is to be made by this country towards the maintenance of two Judges on the Judicial Committee for hearing Indian appeals, then I desire this House to consider whether that contribution is to be made with some condition fastened to it or not. That is the whole point. Sir, I do not see that any very cogent arguments have been advanced either at the time when this question came up last time in the Assembly or in the speech which the Honourable the Home Member has just made for not accepting an amendment of this nature. A similar amendment was moved last time by Mr. T. Rangachariar. The objection that was then taken was that the amendment purports to introduce some sort of racial discrimination. That was one objection. The second objection was that it would create difficulties sometimes to get the best men to serve on that Committee. These are the two objections raised by the Honourable the Home Member on the last occasion. If the Honourable Members of this House have perused the whole debate carefully, they will also find that these two objections have been already very cogently met and replied to. In the first place I do not understand how the principle of racial discrimination can be said to have been introduced by the amendment, immediately as we say that the two Judges for whose salaries we are called upon to make a contribution should be Indians or residents of India. On the other hand I maintain that instead of making any claim on the ground of racial discrimination we make a claim on the ground of an equality in status and ability with other English Judges who serve on the Judicial Committee. The claim is urged as a condition because we feel confident that there are Indians eminently qualified to occupy seats of this responsibility, in every way competent to efficiently discharge the duties of this office. Feeling this sort of confidence in ourselves we are emboldened to make a suggestion to this effect. If any contribution is to be made by India towards the maintenance of the two seats on the Judicial Committee hereafter this House will be thoroughly justified in imposing a condition that these two persons should be Indians in the accepted sense of that term and none else. There is no racial discrimination in it. It is only an assertion of the status of equality and confidence of equal ability possessed by Indians along with other English jurists and lawyers. It was also stated that it would be

sometimes difficult to find men of the best type if any condition like this is tacked on. I can not understand that. I believe that whenever any opportunity for Indians to serve on offices of responsibility has been thrown open, eminent members of the Indian bar and even of other paying and lucrative professions have invariably and willingly come forward to occupy these seats in spite of the pecuniary sacrifices involved. I am sure that is the experience which the Government of India have got up to the present time even in regard to appointments on the Judicial Committee, and if opportunities were given hereafter to Indians to occupy seats on that Committee there ought to be no difficulty felt whatever by the Government of India in finding qualified Indians from the leading members of the Indian bar with a large and lucrative practice willing to sit on the Judicial Committee for a certain number of years. That difficulty, therefore, is not in my opinion of a serious nature. We have found Indians going as members of the India Office. We have found Indians working as Executive Councillors. In doing this, I am sure, and it has been frankly recognised by the Government also, that some of them had to make enormous sacrifices. But knowing that this is also a patriotic duty to be rendered to the country, they did not mind the sacrifice involved and they have invariably willingly come forward to occupy these responsible positions. That being the previous experience, the difficulty of finding out the best Indians ought not to deter the Government of India in accepting an amendment of this kind or imposing a condition of the nature I have suggested. These two difficulties being thus disposed of, I really do not see any reason why the Honourable the Home Member should not be willing to accept this amendment. By acceptance of this amendment he would probably pave the way for the success of the proposition he has put forward. What I suggest is that if this House is to sanction this expenditure of £2,000, it should take care that it at least imposes a condition of the nature I have suggested. On the broader question whether India should make a contribution of this nature towards the maintenance of this tribunal, or not, there is undoubtedly room for a difference of opinion as it really involves a question of principle. The one argument which was advanced now and before also is that the Judicial Committee is a tribunal which serves as a link which binds the whole Empire together. It is a fact and probably, as the Honourable the Home Member has just said, on that very ground there might be a section of this House which is opposed to it. That opposition is also perfectly understandable. It ought not to be difficult for anybody to understand that position in this 20th century. But assuming however that the Judicial Committee is a great binding link in the Empire represents the correct position and that it is therefore a desirable one, the party which desires to have this link properly forged and is mainly to profit by it ought to be the one to bear the necessary expense. That is a consequence naturally arising out of that position. Therefore, the question whether India should make a contribution or not stands on a different footing. My amendment is based on the condition that if the contribution is to be made at all, the House should take care to impose a condition of the nature I have suggested and it is, I submit, in the existing circumstances the most desirable and necessary step for this House to take. It is in that spirit that I have brought the amendment and I believe the experience which the Home Member has gained particularly from the fate which this proposition met with last year in this Assembly must have made him more cautious, and I therefore hope that he will see that it is to his advantage to accept my amendment. With these words I move it.

Sir Hari Singh Gour: Sir, the Honourable the Home Member has referred to the history of his Resolution. I fear, Sir, I am mainly, if not entirely, responsible for the Resolution, which had been prompted by a Resolution moved by me as far back as the 26th March 1921. At that time I asked the first Assembly to give its concurrence to the establishment of a Supreme Court in India, and in moving that Resolution I traced the history of the Privy Council and I pointed out that historically as well as in fact the Privy Council is not a Court but merely an advisory body of the King constituted *ad hoc* in the 15th century and continued till the establishment of regular Courts of Appeal in the major Colonies of England. Sir, I then said that the Judicial Committee of the Privy Council is not a tribunal or court but merely an advisory body constituted and intended to advise the King in his capacity as the highest tribunal for his Dominions. Early in the 15th century as England came to expand into a large colonial power, territories were ceded or acquired by conquest and it became necessary for the Government to administer justice to those scattered Dominions, with the result that the Judicial Committee was requisitioned by His Majesty to advise him on the administration of civil justice. The growth of jurisdiction of the Privy Council can be traced to this fact. The Honourable the Law Member who conditionally accepted my Resolution did not contravene this fact. Now, Sir, I wish very briefly to inform this House as to what has taken place since this Resolution was accepted by the House.

Mr. H. Tonkinson (Burma: Nominated Official): Sir, on a point of information, I do not think that the Resolution was ever accepted by the House. Dr. Sapru moved an amendment and it was the amendment that was accepted.

Sir Hari Singh Gour: I said, Sir, it was conditionally accepted. The Government promised to circulate my Resolution and to collect opinions and then to see how far it was necessary to give effect to that Resolution. That was what I meant when I said that the Resolution was conditionally accepted, and I repeat that statement. Now, Sir, this book is a compilation of the opinions collected from the various public bodies on the subject of the establishment of a Supreme Court in this country, and, as the Honourable the Home Member said on another occasion, there is a considerable body of opinion in favour of the establishment of a Supreme Court here. Now, Sir, so far as the Privy Council is concerned, I moved another Resolution in this House which unfortunately was thrown out, thrown out because there was the same lack of interest in the House which was displayed on the last occasion when the Honourable the Home Member moved his own Resolution on the subject. And in consequence of that Resolution His Excellency the Viceroy in addressing this Chamber on the 20th January, 1926, gave expression to these pregnant words. And remember that if you accepted these Resolutions you will be perpetuating the Privy Council. I told this House on the last occasion that he who votes in favour of this Resolution must not forget that he will be perpetuating the Privy Council. Let me give you, Sir, the exact words of His Excellency. He said:

"I and my Government share the general opinion of the very valuable services rendered to India by these two members of the final Court of Appeal, and we desire to ensure that India shall continue to benefit in the future from a system the advantages of which have been so unmistakably demonstrated. In order to perpetuate the benefits of the scheme it is desired in future appointments to secure persons from India of eminent qualifications as regards knowledge and experience of Indian law and practice."

That, Sir, was the pronouncement made by His Excellency the Viceroy to the last Assembly, and it is in consequence of that pronouncement that the Honourable the Home Member moved his Resolution which this House negatived on the 3rd of February 1926. Now, Sir, in asking this House to re-affirm its decision given only last year I wish to categorise a few facts and bring them to the notice of Honourable Members. Honourable Members will remember that so far as the major Colonies of England are concerned, they have their own Supreme Courts. Let me give the facts. In Canada the Supreme Court Act was passed in 1867 and a Supreme Court was actually constituted in 1875. In Australia by the Constitution of Australia Act the Supreme Court was constituted in 1900. In South Africa on the close of the Boer war, when the constitution was revised, a Supreme Court was constituted. And let me in this connection point out that so far as South Africa is concerned, from the very constitution of the Act of 1909 the Supreme Court is paramount and supreme. And only last year in the Imperial Conference, which changed the title of His Majesty to King of the United Kingdom, it has been settled—a settlement which has now been ratified by Parliament—that all the Colonies have got co-equal sovereign rights. Consequently the existence of any paramount supreme judicial authority over the Colonies has become inconsistent with the sovereignty of the Colonies declared and ratified by the Parliament of England. The result therefore is that so far as the major Colonies are concerned, they have their own Supreme Courts. It is perfectly true that under the constitution of Canada and Australia a certain option is given to a litigant either to appeal to the local Supreme Court or to the Privy Council. But, as was pointed out in the Canadian Parliament last year on the close of the general elections, it was the intention of the Government to take away that right of optional appeal to the Privy Council. Honourable Members will also find, if they look at the proceedings of the Imperial Conference from 1918 onwards, that at that Conference it was proposed to constitute a Court of Imperial Appeal, and all the Colonies revolted against the idea of having a central Court of Appeal. The result is that that idea has been abandoned. The position therefore is, so far as the major Colonies of England are concerned, that they have their own Supreme Courts, and those Courts are part of the local autonomy which was given to them by the various Acts of the Imperial Parliament. India, Sir, is the largest part of the British Empire and, let me venture to add, forms its most important component. Can we be denied the right which even smaller Colonies, comparatively speaking, such as Canada, Australia and South Africa, have been enjoying for a generation past? I venture to submit that, if this House passes the Resolution moved by the Government, they will be applying a very sharp axe to their own future constitution, because the perpetuation of the Privy Council would be inconsistent with the expansion of Reforms. Honourable Members will probably remember that small book published under the aegis of the Home Department by your predecessor, Sir Frederick Whyte, in which he has pointed out that the creation of a federal government is only possible with the assistance of a Supreme Court. In all federal countries where there is a federal government such as you have in the United States of America, you must set up an impartial tribunal to decide upon all disputes between the Executive and the Legislature. Now, have we got such a tribunal here? As far back as 1918, when the late lamented Mr. Montagu was in this country, some of us pointed out to him that a scheme for the commencement of federation in this country

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would be incomplete without the constitution of a supreme judicial authority to interpret and uphold the constitution. And, Sir, the result was that though the Secretary of State at the time was unable to accept that view of the deputation he left it to be decided upon its own merits later on. But the fact remains that, if you turn to the Government of India Act, you will find that if there is any question of dispute or doubt arising as to what is a provincial subject, reserved subject, what is a votable or non-votable subject, these questions are excluded from the purview of the Government of India Act, and it is the Executive that decides much to the chagrin and disappointment of the Legislature. I therefore submit that the very existence of the Reform Act of 1919 is inconsistent and incomplete without the constitution of the highest tribunal charged with the duty of interpreting and upholding the constitution. Lord Bryce in his book on democracies written after his visits to the major Colonies of England has pointed out that in all the Colonies to which I have adverted, the Supreme Courts have given extreme satisfaction. They are courts possessed of considerable influence and independence. Their impartiality is unquestioned, and the Legislatures look up to them for upholding their dignity and preserving the constitution, and, what is more, in cases of conflict between the Executive and the legislature, they are the just arbiters between the two parts of the State. I therefore submit, Sir, that in two years' time we are bound to have a Royal Commission, and this question of the Supreme Court, if the future of India is to be along the lines of a federal government, must of necessity come before the Royal Commission, and you will be prejudicing the establishment of a Supreme Court if you were to

Mr. President: The Honourable Member's time is over.

Sir Hari Singh Gour: Sir, in view of the importance of the subject and the deep personal interest I have taken in it for the last 7 years, I hope you will extend to me some indulgence

Mr. President: I would certainly extend a great deal of indulgence if we were discussing the question of the establishment of a Supreme Court in India, but the issue raised by the Resolution moved by the Home Member is a limited one.

Sir Hari Singh Gour: Sir, this is sweeping away my Supreme Court, it is an obstacle in the way of my Supreme Court, and unless I sweep that away, my Supreme Court will never come into existence. So, Sir, I beg of you to give me a little more time to enable me to remove that unsightly obstacle that stands in the way of my Supreme Court. I promise to be as brief as possible.

Mr. M. Ruthnaswamy (Nominated: Indian Christians): May I ask the Honourable Member for information if the existence of a Supreme Court in the larger Dominions prevents or reduces the jurisdiction of the Privy Council?

Sir Hari Singh Gour: Yes, undoubtedly. It affects the jurisdiction of the Privy Council in Australia; in Canada, technically it does not, but as Lord Bryce points out, very few cases go to the Privy Council, but not all cases which are certified for certain reasons, interpretation of the constitution and so on; the jurisdiction of the Privy Council is *pro tanto* narrowed by the expansion of the judicial administration in these large Colonies.

Now, Sir, I have pointed out that the Privy Council is not the Court. Now, Sir, I wish with the utmost respect to their Lordships of the Privy Council to point out that the Privy Council have themselves declared in several reported cases that they suffer from lack of local experience, and in many cases they are not able to decide cases with due advertence to the dictates of justice. In cases under the Land Acquisition Act, where local knowledge as to the valuation of the property and the estimate as to its value is necessary, their Lordships again and again have said that they are at a disadvantage in not being able to inspect the sites. Then take the case of inspection of documents; the case of application of personal law. Latterly the Home Member has himself brought forward one Bill, to correct the mistakes of their Lordships of the Privy Council on the interpretation of the Transfer of Property Act, or rather the Registration Act. I myself, Sir, was the author of another Bill to amend the Transfer of Property Act regarding attestation upon which the view of their Lordships of the Privy Council was at variance with the Indian current view. Then their Lordships have in several cases pointed out that in criminal cases, they are neither a court of appeal nor a court of revision, and Honourable Members conversant with criminal law are aware that in criminal cases the final sentencing tribunal is the High Court, and while the High Court passes a sentence of death, there is really no right of appeal at all. Now in England the anomaly which existed has been swept away by the establishment of a Court of Criminal Appeal, and I submit, therefore, the time is ripe when we should press for the establishment of a central court of criminal appeal in cases where a sentence of death or transportation for life is passed by the superior courts in this country.

Then, Sir, in my previous speeches before this House, I have pointed out that the question of time, the question of distance, the cost of visualisation of justice and the difficulty of both parties being represented before the Privy Council are insuperable obstacles to the disposal of cases with due regard to the rights of the parties. I have also, Sir, pointed out that with a growing national sentiment in this country it is absolutely necessary that we should have a court of our own, and we cannot possibly have a court of our own if you were to-day to give your vote in favour of the perpetuation of the Privy Council in the manner stated by the Home Member.

Sir, I wish finally to appeal to this House that only 12 months ago this House rejected the motion of the Honourable the Home Member. Have any fresh facts come to light which would justify

The Honourable Sir Alexander Muddiman: How long ago was your motion for a Supreme Court rejected?

Sir Hari Singh Gour: Sir, I have already given this House the history of my Supreme Court.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Two wrongs do not make one right.

Sir Hari Singh Gour: My friend Mr. Jinnah says that two wrongs do not make one right.

The Honourable Sir Alexander Muddiman: I agree.

Sir Hari Singh Gour: I have already pointed out that, with the growing; consciousness of the people, with the growing desire that India should be self-contained, with the approach of the Royal Commission in the very

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near future, this House will be casting a vote in favour of the perpetuation of the Privy Council which every patriot and politician in this country including Mahatma Gandhi has condemned, and I ask those who are believers in Mahatma Gandhi to remember and recall how strongly he has castigated those Members of the House who on the last occasion, when my Resolution for the Supreme Court came on for discussion, cast their vote against it. Well, Sir, they have now the chance to rectify their mistake, and on these grounds, Sir, I oppose the Resolution.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 25th March, 1927.
