

16th February 1928

LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume I

SECOND SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1928



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1928



Legislative Assembly.

President :

THE HONOURABLE MR V. J. PATEL.

Deputy President :

MAULVI MUHAMMAD YAKUB, M.L.A.

Panel of Chairmen :

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SIR DARCY LINDSAY, KT., C.B.E., M.L.A.

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

MR. M. R. JAYAKAR, M.L.A.

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

Assistants of the Secretary :

MR. D. G. MITCHELL, 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.*

SIR HARI SINGH GOUR, KT., M.L.A.

MR. N. M. JOSHI, M.L.A.

MR. JAMNADAS M. MEHTA, M.L.A.

DR. A. SUHRAWARDY, M.L.A.

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LEGISLATIVE ASSEMBLY.

Thursday, 16th February, 1928.

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

QUESTIONS AND ANSWERS.

COMPOSITION OF THE STATUTORY COMMISSION, ETC.

197. ***Mr. Gaya Prasad Singh:** (a) Will Government kindly state if they were asked to give their views on the composition of the Statutory Commission on Indian Reforms, and if they agreed to the exclusion of Indians from the personnel of the Commission?

(b) Have Government reported to His Majesty's Government the feeling of resentment with which the announcement of the Commission has been received in India by all sections of public opinion?

(c) Who will bear the cost of the Commission, and what is the probable estimate of it?

(d) Will Government be pleased to lay on the table a copy of their latest communication on the subject to the British Government?

The Honourable Mr. J. Crerar: (a) and (d). The Honourable Member is referred to the first part of the reply given to Mr. M. K. Acharya's starred question No. 165 on the 10th February 1928.

(b) The Secretary of State is well aware of the views that have been reported and expressed in the Indian Press both for and against the procedure adopted.

(c) The cost of the Commission's enquiry will be debitable to Indian revenues; but His Majesty's Government have decided to make a contribution of £20,000 towards the expenditure involved. The estimate of the total cost is not yet available.

Mr. Gaya Prasad Singh: Sir, I am not going to ask the rest of the questions, except question No. 238.

Mr. President: It is very unfair both to the Chair and to the Government that an Honourable Member should put down a large number of questions and then get up in this Chamber and say "I do not wish to put those questions." (Applause.)

Mr. Gaya Prasad Singh: I am sorry, Sir, it is on account of the Party mandate.

Mr. President: Under instructions from the Chair the Secretary wrote to the Honourable Member whether he would like to put the questions or withdraw them. The Honourable Member replied that, if the

Secretary did not hear anything from him till the 1st February, the questions should stand. As no further communication was received from the Honourable Member, the questions were entered in the list. (Applause.)

*198—*237.†

ISSUE OF INSTRUCTIONS TO GOVERNMENT SERVANTS WHO MAY BE CALLED UPON TO GIVE EVIDENCE BEFORE THE STATUTORY COMMISSION.

238. ***Mr. Gaya Prasad Singh:** (a) Have Government issued any circular, giving instructions for the guidance of Government servants, who may be called upon to give evidence before the Parliamentary Commission on Indian Reforms?

(b) If so, can a copy be laid on the table?

The Honourable Mr. J. Crerar: The Government of India have issued no such instructions.

Diwan Chaman Lall: Have Local Governments issued instructions on their behalf?

The Honourable Mr. J. Crerar: I am not in a position to say; it is extremely improbable, but I am making inquiries.

Mr. K. Ahmed: Is it not a fact, Sir, that just as the Honourable the Home Member himself in the last Session at Simla admitted that ordinary courtesy was shown to Miss Mayo in regard to furnishing her with certain information, which any Honourable Member of this Assembly may have if he requires from the Government, some instructions were given? Otherwise why are the Provincial Governments collecting material for the Commission?

The Honourable Mr. J. Crerar: I cannot understand what precise admissions the Honourable Member is attributing to me, but I am pretty certain that I did not make them.

Kumar Ganganand Sinha: Will the result of the inquiry be communicated to the House after the Honourable Member has ascertained from Local Governments?

The Honourable Mr. J. Crerar: I shall consider that.

*239 — *248.‡

UNSTARRED QUESTIONS AND ANSWERS.

TEMPORARY I. M. S. OFFICERS.

108. **Mr. Gaya Prasad Singh:** (a) When was the system of temporary I. M. S. officers introduced?

(b) How many Indians have been employed as temporary I. M. S. officers since the first batch was recruited?

(c) How many Indians have been made permanent until now in the I. M. S. out of all the temporary officers so far employed?

†Questions Nos. 198-237 were not asked by the Honourable Member.

‡Questions Nos. 239-248 were not asked by the Honourable Member.

(d) What is the number of Indians in the temporary cadre of I. M. S. officers at present?

(e) How many of them, and after how many years' service, are likely to be demobilised in the present and the next year?

(f) How many I. M. S. officers were employed as temporary I. M. S. officers within the last 5 years in each year; and how many were demobilised each year within the last 5 years?

(g) After how many years are they generally demobilised?

(h) Why and when was the limit of 9 years fixed?

(i) Why are not their services retained instead of employing new I. M. S. officers?

(j) How many temporary I. M. S. officers are there who have put in 6 to 9 years' service?

(k) Is it the intention of the Government to retain their services; if so, how many of them are likely to be made permanent?

Mr. G. M. Young: (a) In October 1914.

(b) 1,101.

(c) 107.

(d) 127.

(e) No figures can be given as officers can notify up to 3 months before the expiry of their contracts whether or not they wish to renew them.

(f)

	1923.	1924.	1925.	1926.	1927.
Employed . . .	61	9	18	40	21
Demobilized . . .	36	45	22	35	30

(g) and (h). Before 1926 temporary I. M. S. officers could have their contracts renewed annually for so long as their services were required. There was no recognised limit to the length of such service, because when the present system of temporary commissions was started it was not anticipated that there would be any necessity to continue it for more than a few years. This hope was not, however, realised, and in April 1926 the limit of 9 years was fixed, because it was held that it would not be in the interests of the service or of the officers themselves to retain them indefinitely beyond that time on a temporary basis.

As promised in the Assembly on the 29th August 1927, I have re-examined the question of the 9 years' rule for the discharge of temporary I. M. S. officers. Some rule of the kind is necessary in the interests of the service, and there can be no possible legal objection to the termination of a temporary officer's service on the expiry of any particular year's contract subject to the requisite notice being given. The only hardship involved by the rule was that it entailed the comparatively sudden discharge of some officers, who had been continuously employed for a long period, and may have cherished hopes of being re-employed for many years more. These officers, though legally entitled to 3 months' notice only, and although they renewed their contracts at their own option year by year, had perhaps some grounds for

supposing that after 9 years' service they had more or less become a permanency. The Government have now decided to retain the 9 years' rule for temporary officers already in the service, but no officer will be affected by this rule in future without having received at least two years' notice. For future entrants it has been decided to reduce the maximum period of temporary service to 5 years, and all applicants for temporary commissions will be made fully aware of this condition before they sign their first annual contract. They will thus have, in effect, five years' notice, and be fully aware, before they join, of the maximum period up to which their contracts can be renewed.

It should be emphasized again that temporary I. M. S. officers who are selected for permanent commissions in the I. M. S. are retained in their temporary appointments, irrespective of the 9 years' rule, until permanent vacancies are available for them. The only temporary officers whose services are terminated are those who have either not applied for permanent commissions, or are not up to the standard for such commissions.

(i) The answer is contained in the reply to the preceding part.

(j) 21.

(k) They will be retained, on a temporary basis, if they wish to renew their contracts and if they are considered suitable, until the expiry of their contracts on or after the completion of 9 years' service. It is impossible to say how many of them will be made permanent. It depends on whether they have applied or hereafter apply for permanent commissions, and, whether, if they do apply, they are selected.

WITHDRAWAL OF THE TRAVELLING ALLOWANCES GRANTED TO TEMPORARY I. M. S. OFFICERS ON DEMOBILISATION FOR THEIR FAMILIES, HORSES AND BAGGAGE.

109. **Mr. Gaya Prasad Singh:** (a) Is it a fact that until 1926 I. M. S. officers received travelling allowances for their families and horses and baggage, etc., on demobilisation to their homes?

(b) Is it a fact that an Army Instruction has been issued recently disallowing that travelling allowance?

(c) Does this amendment in rules exempt the officers who were employed under the old contract which allowed such travelling allowances? If not, why not?

(d) Is it a fact that the I. M. S. officers recruited in England get travelling allowances for their families, etc., when demobilised?

(e) Do Government propose to disallow that too?

(f) What is the starting pay of I. M. S. officers recruited in India and what is it in the 9th year when they are usually demobilised?

(g) Is it the intention of the Government to increase their pay at rising scale?

(h) Do Government propose to count their period of service as I. M. S. officers when they revert to civil or are employed in civil for purposes of pension, etc.?

Mr. G. M. Young: I presume that the Honourable Member is referring throughout to temporary officers of the Indian Medical Service. The reply to his question is as follows:—

- (a) The revised terms of service for temporary officers of the Indian Medical Service, which were published in Army Instruction (India), No. 284 of 1922, provide only for the officer on demobilisation, and not for his family, baggage or his horses.
- (b) No.
- (c) Does not arise.
- (d) Yes, Sir. No differentiation is, however, made between European and Indian officers recruited in England.
- (e) No. I may add that temporary officers of the Indian Medical Service are no longer recruited from England.
- (f) The pay of temporary officers is Rs. 500 *per mensem* on first engagement and Rs. 650 *per mensem* after completing 3 years' satisfactory service.
- (g) No.
- (h) I presume the Honourable Member is referring to officers now serving on temporary commissions or now being recruited for such commissions. These officers would be allowed to count their military service towards promotion and pension if they were holding substantive appointments on the civil side before being granted temporary commissions in the Indian Medical Service. The Government of India have no information whether a similar concession is granted by Local Governments to temporary officers who, on demobilization, may be appointed in the Civil Medical Department, as medical administration is a provincial transferred subject, and Local Governments have their own rules.

ESTABLISHMENT OF A CANTONMENT BOARD AT LANSDOWNE.

110. **Mr. Gaya Prasad Singh:** (a) Is it a fact that Lansdowne is the headquarters of a sub-division of Garhwal with the court of the S. D. O. and the Tahsildar and has the Government Treasury?

(b) If so, is it the intention of the Government to establish a Cantonment Board there?

(c) Has any request been made by the residents of Lansdowne to constitute a Cantonment Board at Lansdowne?

(d) When was the census taken last at Lansdowne Cantonment and what was it then?

(e) Is it the intention of the Government to take the census in next April or May again to ascertain its population?

(f) Is it a fact that the population of Lansdowne has considerably increased since 1921?

(g) Is it the intention of the Government to establish a Cantonment Board at Lansdowne even though the number of inhabitants be less than that required to entitle the place to a Board as a special case?

(h) Is there any Committee through which Cantonment affairs are at present managed? If there is, what is its constitution, and how many members are there in it?

(i) How often did that Committee meet in 1926 and 1927?

Mr. G. M. Young: (a) Yes.

(b) No.

(c) The Government of India have received no such request.

(d) In 1921. The total population of the Cantonment including the military garrison was 5,070.

(e) No.

(f) Government have no information.

(g) No.

(h) The answer to the first part is in the negative. The second part does not arise.

(i) Does not arise.

ELECTRIFICATION OF LANSDOWNE.

111. **Mr. Gaya Prasad Singh:** (a) Has any scheme for electrifying Lansdowne been submitted to the Government by the Lansdowne Cantonment authorities?

(b) Do Government propose to utilise the present water power for electrifying Lansdowne?

Mr. G. M. Young: (a) No, Sir.

(b) The matter has not yet been considered.

OFFICE HOURS OF THE CLERICAL STAFF OF THE EAST INDIAN RAILWAY AT JAMALPUR, ETC.

112. **Mr. Gaya Prasad Singh:** (a) With reference to starred questions Nos. 349 and 350 of the 14th February, 1927, regarding the office hours for the East Indian Railway clerical staff at Jamalpur, will Government kindly state what objection there is to making their office hours correspond with those that obtain in similar offices of the East Indian Railway in Calcutta, Howrah, Asansol, Dinapore, Allahabad, Muradabad and Lucknow?

(b) Will Government kindly state how many Indian clerks are employed in the Mechanical, Electrical and Accounts Departments at Jamalpur, and the number of quarters allotted to them?

Mr. A. A. L. Parsons: I am obtaining the information for the Honourable Member.

RESOLUTION *RE* ESTABLISHMENT OF A SUPREME COURT IN INDIA.

Mr. Ram Narayan Singh (Chota Nagpur Division: Non-Muhamadan): Sir, I beg to move the Resolution that stands in my name, namely:

"That this Assembly recommends to the Governor General in Council to take early steps to secure that a Supreme Court is established in India with power:

- (a) to interpret and uphold the constitution;
- (b) to act as a court of final criminal appeal against all sentences of death;
- (c) to act as a revising court in specified serious cases;
- (d) to hear civil appeals now heard by His Majesty's Privy Council; and
- (e) generally to carry out the work at present entrusted to His Majesty's Privy Council;

provided that such court shall not affect His Majesty's prerogative safeguarded in the constitutions of Canada, Australia and South Africa."

Mr. President: Does the Honourable Member not wish to say anything in support of the Resolution?

Mr. Ram Narayan Singh: Sir, something else will be done.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhamadan Rural): Sir, I beg to move that the debate on this Resolution do stand adjourned.

Mr. President: Does the Honourable Member realise that he will have no right to make a speech when the Resolution is taken up again?

Mr. Ram Narayan Singh: I do not mind that, Sir.

Mr. President: The question is:

"That the further consideration of this Resolution be adjourned."

(A division was claimed.)

The Assembly divided:

AYES—62.

Abdoola Haroon, Haji.
 Abdul Haya, Mr.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sessa.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit N lakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Iyengar, Mr. A. Rangaswami.
 Iyengar, Mr. S. Srinivasa.
 Jamnadass, Seth.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Chaudit Hirdav Nath.
 Lahiri Chaudhury, Mr. Dharendra Kanta.

Lajpat Rai, Lala.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Nehru, Pandit Motilal.
 Pandya, Mr. Vidya Sagar.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. Bhabendra Chandra.
 Roy, Mr. K. C.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Tok Kvi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

NOES—1.

Dakhan, Mr. W. M. P. Ghulam Kadir |
Khan. |

The motion was adopted.

Mr. President: The Chair very much regrets that there are Members in this House who indulge in asking for frivolous divisions and thus waste the time of the House.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhamadan Rural): Sir, under the instructions of my Party, I do not move the Resolution* standing in my name.

Mr. M. R. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, I do not move my Resolution.†

(Mr. Gaya Prasad Singh was called on to move his Resolution‡ but was absent.)

RESOLUTION RE THE STATUTORY COMMISSION.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Sir, I rise to move the Resolution§ that stands in my name and I do so with the profoundest sense of responsibility that I have ever felt in the discharge of any public duty. I shall at the beginning give very briefly and categorically my reasons for the action that I am taking. My first reason

* "This Assembly recommends to the Governor General in Council that he do make an authoritative statement regarding the powers and rights of the Committee of the Central Legislature proposed to be appointed to co-operate with the Parliamentary Commission on Indian Reforms; and this Assembly further recommends to the Governor General in Council that he do inform His Majesty's Government in England that in the considered opinion of this House no such Committee should be appointed:

- (1) unless the Committee have absolutely equal rights and status with the Commission and the Joint Committee of Parliament in sifting the materials collected by the Government in India for any inquiry into the working of the present Reforms, and also in taking and testing evidence relating to further Constitutional Reform, including draft Constitutions for the establishment of Responsible Government in India; and
- (2) unless the Committee or any Members thereof, in case their conclusions and recommendations materially differ from those of the Commission or the Joint Committee, are vouchsafed the right to appeal the same to any report that the Commission or the Joint Committee may submit to Parliament."

† "This Assembly recommends to the Governor General in Council to issue directions to all Local Governments to provide special facilities for the education of the untouchables and other depressed classes, and also for opening all public services to them, specially the Police."

‡ "This Assembly recommends to the Governor General in Council that he be pleased to convey to His Majesty's Government the Assembly's entire lack of confidence in the Parliamentary Commission, which has been appointed to review the constitution of India."

(Or, if the above is barred.)

§ "This Assembly recommends to the Governor General in Council that he may be pleased to take immediate steps to separate the judicial from the executive functions throughout the Indian administration."

¶ "This Assembly recommends to the Governor General in Council to inform His Majesty's Government that the present constitution and scheme of the Statutory Commission are wholly unacceptable to this House and that this House will therefore have nothing to do with the Commission at any stage and in any form."

is that I have no faith in the *bona fides* of the Government or of the people who have appointed this Commission. Why I have no faith in them, I shall state later on. My second reason is that I have no faith in the competency of the Commission that has been appointed. I acknowledge, Sir, that Sir John Simon is one of the ablest members of the British nation and I give the members of the Commission the fullest possible credit for their good intentions and good motives. But the very fact which has been made a ground of their appointment, namely, their ignorance of India, Indian history and Indian politics, is, in my judgment, their greatest disqualification to enter upon the task which has been entrusted to them. The problem of India is so vast and so complicated that even if the gods were to descend from the heavens, they cannot master it in such a short time as is at the disposal of this Commission. Sir, the members of the Commission cannot in this short space of time make any intelligent recommendations which may be acceptable both to England and to India. My impression is that all that the Commission will do will be practically recording in a gramophone what they will be told by the bureaucracy here and eventually they will be recording in another gramophone their recommendations in consultation with some other people in England. The very secretive methods which they are employing even now at the present moment in going about their business justify me in making this statement. They are very much afraid of going out in public and informing the people of their movements. They move from place to place in secrecy and a mystery is surrounding them. That in itself shows that the people who guide them will practically choose what they want to place before them. My third ground for the action which I am taking is that I have no faith in any Commission's ability to settle the Indian problem. I can understand Commissions being appointed for inquiry into facts which are disputed or which are not clear, but I question the competency of any Commission to settle the fitness of nations to rule themselves (Applause from the non-official Benches) and to settle constitutions for them which have to be worked by them in their own interests. In my judgment the problem of India is not for Commissions: it must be tackled by representative men both from England and India in a spirit of conciliation and negotiation. (Hear, hear.) It is only then that it may be possible to solve this problem by an agreement which may eventually be ratified by Parliament.

Sir, we on this of the House who have been taking that position have been very much misrepresented about our attitude towards the Parliament. It has been said that we do not realise the realities and that we ignore the fact that the Parliament is the primary and ultimate arbiter of the destinies of India. Sir, their responsibility may be ultimate, but it is not primary. I do not concede that proposition. My own idea is that we have never even, on this side of the House, said that we propose to dictate to Parliament. What we said was that the settlement of the question must be approached in a spirit of mutual conciliation, of mutual understanding of the interests of the two countries, and that only on that basis could we arrive at an agreement which may be acceptable to both parties and may be automatically sanctioned by Parliament. I use the word "automatically", because Parliament never does anything except what the Government for the time being wants it to do. Government represents the machinery of Parliament, and therefore Parliament is only

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in a way the machinery by which the Government for the time being carries on its business and records its decisions. If the Government for the time being enters into an agreement with the representatives of India, Parliament will automatically ratify the agreement and give effect to it. That is what we mean by saying that we should be entrusted with the task of making a constitution and then Parliament can sanction it.

Now, Sir, having given these grounds briefly, I will come to the arguments that have been given by the Secretary of State for the appointment of such a Commission. The Secretary of State has told us many things. One of the things he has told us is that it is the duty of Parliament and Parliament alone to consider and decide this question. He says that Parliament took the government of the country from the East India Company, saved India from a welter of anarchy, and if to-day the British were to go out of India, India would again be thrown into a welter of anarchy. Unfortunately the Secretary of State's notions of anarchy and our notions of anarchy differ very much. He has spoken of the glorious and the great association of England with India. Yes, great and glorious from the British point of view, but inglorious and infamous from the Indian point of view. I do not admit the association of England with India has done us any substantial good. That is the chief point of difference between us and the Secretary of State for India.

Then he talks of a welter of anarchy. What anarchy can be greater than the anarchy of the law imposed at the point of the bayonet by a foreigner or body of foreigners? That is the greatest anarchy which can be inflicted on any self-respecting nation. What anarchy can be greater than the anarchy involved in the position that the people for whom Governments are made, for whom Governments are constituted, should have no voice in the determination of their fate? There can be no anarchy greater than that. All anarchies are followed at some time or the other by established and sound systems of government. Sir, no progress is made by threats. We are not scared by these threats of anarchy. I wish to say from my place in this House that I am not at all afraid of any anarchy that might follow the withdrawal of the British from this country. I am prepared for the worst. What can be worse than the conditions in which we are living now? There can be nothing worse. We have reached the lowest depths of misery and degradation imaginable. There can be nothing lower than that, and if the British Government think that by their withdrawal we shall be warring with each other, I shall welcome even that condition, because, after all, after a few years of warring and quarrelling, an even bloodshed, we shall be settling down and forming some kind of government, which will be our own handiwork, and which we can improve later on. (Laughter from the European non-official Benches). The Members of the European group are indulging in a laugh at me. My reply is: "You can have a hearty laugh, because you are like the painter who paints his own picture. If you were in our position you would not be laughing but weeping. Let us have a trial of ruling England for even two years and then we shall see who laughs and who weeps".

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): But how did you rule in the days of the old Moghul Emperors and how did the British come here? What about the Hindu-Moslem riots?

Lala Lajpat Rai: We ruled very well. I don't care for the Hindu-Moslem riots. Don't we hear of riots in England? As soon as we know we have to settle the question we shall settle it. It is the presence of the third party that is responsible for the riots. There is a third party behind the people who bring about these riots. Has not a responsible statesman said that the differences between the Hindus and the Moslems could be removed but for the presence of the third party. Withdraw and then see whether we quarrel. That is the easiest test. There is no use of talking like this.

Sir, I now come to the other parts of the Secretary of State's statement. The Secretary of State says that this Commission goes out to India as a kind of jury. Well, Sir, the very mention of jury connotes two parties. What is the position we occupy? Probably in the eyes of the Secretary of State, that of defendants and accused. The Commission has come to make enquiries into our fitness for self-government. Have you ever heard of an enquiry by a jury exclusively composed of foreigners? At least in England the principle is that everyone must be tried by his peers. Here the jury is composed of British Members of Parliament who propose to enquire into our fitness to rule our country. Where is the analogy between this jury and a jury as is generally understood? It is a jury as well as a judge. The Secretary of State told us that it is the British Parliament that will decide. These are members of the British Parliament, which practically means that they form part of the judicial tribunal which is going to sit in judgment on us and give the decision. They combine in themselves the functions of judge and jury. Is that the notion of justice prevailing in England? All that talk of a jury is absolute bunkum.

Then the Secretary of State proceeds to say that this Commission is going out to India as reporters. Have you heard of a jury being reporters? Juries don't report, they give verdicts. And then he says, well, the constitution is laid down in the Act of 1919, and as a constitutional lawyer he thinks that that is the only course open to him. The Act only contemplates a Parliamentary Commission. Lord Birkenhead may be a very brilliant man, a very able man, but there is no lack of able men and brilliant men in other parts of the world. He may be a most brilliant man, because as Secretary of State his word carries weight, but there are constitutional lawyers in India as learned and as brilliant perhaps as Lord Birkenhead (*An Honourable Member*: "More so.")—yes, may be more so, and in that case I submit—I leave it to my lawyer friends to discuss whether Lord Birkenhead is right in his interpretation of the constitutional law which he has put forward in the House of Lords in his speech on this question. I think he is not.

Then, Sir, Lord Birkenhead has taken other points in justification of the appointment of this purely British Commission. One of the points taken by him shows great solicitude for the depressed classes. Since when have these depressed classes come into existence? Since when has the British Government become conscious of their existence? Sir, it seems that they have come into existence only since 1917. Before that they did not exist. (*An Honourable Member*: "How?") I am just

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going to show you if you will pardon me for a minute. In August 1917 the great announcement was made that the goal of British policy in India would be to prepare India for responsible government as an integral part of the British Empire. The Anglo-Indian community of India, official and non-official, did not like that announcement; so it was for the first time in the educational progress report of 1917-1918 that any mention was made of the depressed classes. Before that they did not exist at all for the English Government. What did the Government do? It caused a census of the depressed classes to be made at the time for the purpose of considering what progress they had made in education and what could be done for them in order to advance their cause; that was the ostensible reason. The census gave the figure as somewhere near 30 millions. In the census of 1921 the figure was raised by the Census Commissioner to 52 millions, and he stated generally that the figure was somewhere between 55 and 60 millions for the whole of India. Mr. Coatman, by one stroke of his pen, has raised it definitely to 60 millions, and it is these 60 millions who are now talked of by our British rulers and by the *Times* and by all those people who shed crocodile tears. May I ask what they have done for them in the past? May I ask what the British Government has done for these depressed classes during the last 150 years of their rule?

Mr. K. Ahmed: What have you done?

Lala Lajpat Rai: I will tell you what I have done. I have been working for the depressed classes for the last 25 years and even more, long before there was any mention of their representation in the Legislative Councils; and I challenge any Member on the side of the Government to tell me what they have done in the last 25 years to advance the education of the depressed classes and to do anything for their uplift. Even now, under this system, any small efforts we might make to expedite the education and progress of the depressed classes are opposed by Government everywhere. When we asked them to open public wells in the Punjab for the use of these classes they refused to do so. When we asked them to provide special scholarships for their education, they refused to accept that proposal; when a Member definitely proposed that Rs. 9 lakhs should be sanctioned for the education of the depressed classes, the Government met it with a definite "no". We asked them to open out the ranks of the Army or at least of the police to these classes and the reply of the Home Member was "No; we cannot do it in the present circumstances, because other Hindus would object to it." What then is this solicitude for the depressed classes? It is all a hypocritical cry. I challenge even Mr. Rajah here who belongs himself to the depressed classes to show me from the past history of the last 25 years what the British Government have done for them. It is all eye-wash. It is we who first started this movement out of purely humanitarian and unselfish motives. We considered them part and parcel of ourselves and we have been trying to uplift them in our own humble way for the past 50 years. I have spent a great part of my time and I have given a great part of my savings in the interests of the depressed classes. Let me ask what the Government has done and what these non-official Europeans who talk so loud have done for them? What have they done? Will they tell me what they have done? They have sanctioned no money for the uplift and raising of these classes; they have

sent no agents for propaganda amongst the communities for the betterment of these classes. I do not want to carry it further, Sir

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Who created the depressed classes, Sir?

Lala Lajpat Rai: The depressed classes were created, Sir, by a long history. (Laughter and cheers). May I ask who created the labouring classes of England? May I ask who created the Negroes of the United States? May I ask who created those slaves in South Africa whom European exploiters have treated as less than men for the purpose of making their pile. What is the use of talking about the depressed classes and posing as their champions? (Nawab Sir Sahibzada Abdul Qaiyum made an interruption) I do not want to give way to the Honourable gentleman. This is all cant. I should say it is all absolutely hypocritical talk.

Then, Sir, it was extremely mean of Lord Birkenhead to take advantage of a stray remark made by my friend, Mr. Goswami, about the representative character of the Hindu Sabha in the heat of controversy. Are we going to judge of the character of the British statesman and of the British Government by the remarks that are made against them on the floor of the House of Commons by the Labour Members? If we were to judge them by that we should never believe a single word uttered by the Secretary of State or by the Prime Minister, because they are every day denounced as liars, robbers and dacoits. I say it was extremely mean of Lord Birkenhead. But he had no other arguments to fall back upon and therefore he quoted this remark of Mr. Goswami as a drowning man catches at a straw. It was a mean thing to do to justify this exclusively British Commission.

Sir, I want to tell you something more. I want to tell you why I consider in the first place that we doubt the *bonâ fides* of the British Government which has appointed this Commission. At the time when the famous announcement of August 1917 was made, I happened to be in the United States and I happened to be in the know of all the currents and under-currents of the policies of the Allied Powers at that time. I say deliberately with full responsibility for my words that the announcement of 1917 was not as some have stated the outcome of a hasty or generous emotion; I say it was a war measure, a pure war measure, never intended to give us self-government within a reasonable period of time. The statesman who made that announcement was absolutely honest, but I know that the men who drafted it were neither sincere nor honest; they just wanted to use it as a shield or screen. The war was going against the Allied Powers in 1916. There had been disasters in Mesopotamia and after inquiry it was found that in spite of the best of good will, and in spite of the best efforts which the Indian Government put in to support the war, the Indian Government was inefficient for war purposes. Mr. Montagu from his seat in the House of Commons declared that this system of Government was too wooden, too iron, too inelastic, too anti-diluvian for modern purposes. It had prevented the Indian nation, in spite of its splendid loyalty, from being an efficient war nation, and he said if you really want to have the support of India in this war or in any future wars, you ought to tell them plainly what their position in the Government of the country will be and make a statement about your future intentions about the government of India. You ought to appeal to their love of country which is a religion with them; and perhaps it will be possible that in the next war, if it happened, you will find an India ready and efficient to help you in that war. I submit

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those words are plain enough to show that that was what Mr. Lloyd George subsequently accepted and that is why he authorised the announcement that was made in August 1917. Mr. Lloyd George had already declared the aims and objects of the war. In a speech delivered at Glasgow he had said:

"Now we are faced with the greatest and the grimdest struggle of all. Liberty, equality, fraternity, not amongst men, but amongst nations—great and small, powerful and weak, exalted and humble,—equality, fraternity, amongst peoples as well as amongst men—that is the challenge which has been thrown to us. . . . My appeal to the people of this country, and if my appeal can reach beyond it, is this that we should continue to fight for the great goal of international right and international justice, so that never again shall brute force sit on the throne of Justice, nor barbaric strength wield the sceptre of right."

As I have already said, in 1916 the war was going against the Allies; the United States had not entered into it and the Allies knew that the war could not be won except with the help of the United States. They wanted the United States to come in; and the United States would not come in unless public opinion in the United States was satisfied that the aims and objects of the Allies were as pure as President Wilson put them. It was necessary to conciliate American public opinion; it was necessary to show to the Americans that the aims and objects of the Allies were pure and that the war was being fought for world democracy and world peace. That, Sir, was the genesis of the announcement.

Sir, what has followed that announcement has amply proved to us that my contention that the announcement was not honest on the part of those men who drafted that announcement is perfectly correct. What do we see? Immediately the tide of the war turned in favour of the Allies, even before the war had ended, what did the Government of India do? They introduced into the Imperial Legislative Council those infamous Rowlatt Bills. They showed an extreme and entire distrust of the whole of the Indian people in introducing those Bills. There was unanimous opposition to those Bills. Every one in this country was practically against those measures. But the Government of India, in defiance of all public opinion, in defiance of the wishes of all sections of the Members of the Imperial Legislative Council, passed them into law. Sir, at that time my friend Mr. Jinnah, who was a Member of the Supreme Legislative Council, resigned, and he addressed a letter to the Governor General which, I think, requires to be read, because in it he depicted a position which is similar to the one we are facing to-day. Mr. Jinnah said:

"Your Excellency, the passing of the Rowlatt Bill by the Government of India and the assent given to it by Your Excellency as Governor General against the will of the people has severely shaken the trust reposed by them in British justice. Further, it has clearly demonstrated the constitution of the Imperial Legislative Council which is a Legislature but in name, a machine propelled by a foreign executive. Neither the unanimous opinion of the non-official Indian Members, nor the entire public opinion and feeling outside has met with the least respect. The Government of India and Your Excellency, however, have thought it fit to place on the Statute-book a measure admittedly obnoxious and decidedly coercive at a time of peace, thereby substituting executive for judicial discretion. Besides, by passing this Bill, Your Excellency's Government have actively negated every argument they advanced but a year ago when they appealed to India for help at the War Conference, and have ruthlessly trampled upon the principles for which Great Britain avowedly fought the war."

I submit, Sir, the position of India and her Legislatures is exactly the same to-day as it was before the Reforms were introduced. No doubt,

some opportunities have been afforded to us to talk, to talk *ad infinitum*; some opportunities have been afforded to us to place our views before the Government. But the Legislature, the Central Legislature, is as impotent to-day to enforce its will, as powerless, as absolutely helpless as it was in 1919 when Mr. Jinnah wrote that letter. (Laughter.)

Sir Walter Willson (Associated Chambers of Commerce: Nominated, Non-official): What about the Reserve Bank?

Lala Lajpat Rai: My friends talk of the Reserve Bank and they laugh. What is the Reserve Bank? The rejection of the Reserve Bank still leaves you in possession of the field. It is a case in which you wanted to enforce your will and we simply rejected it; but our will you never accepted. What was the case with the salt tax? What was the case in the Princes' Protection Bill? What did you do in those matters? What was your action in the Ratio Bill? What have you done in connection with the recommendations of the Royal Commission on Currency? (*An Honourable Member:* "The Skeen Committee.") Yes, I am coming to that presently. India unanimately opposed the imposition of fresh expenditure on the Indian exchequer which was forced upon her by the Lee Commission's Report, but you overruled it. India has unanimately demanded a modicum of representation in the Army, she has consistently demanded the Indianisation of the Army, and you have persistently denied it. Even now, as reports go, the unanimous recommendation of the Skeen Committee has been turned down. These, Sirs, are your credentials for your *bonâ fides*. I submit, Sir, the British Government in this country and the European mercantile community which has identified itself with the British Government, have absolutely no intention to give us self-government or to let us proceed towards self-government. Their interests are identical. It is a purely profiteering and dominating community, both the officials and the non-officials, and we expect no mercy from them. I say nothing against individuals. It is a machine, it is a soulless machine, it is a cruel machine which only knows how to grind and how to destroy. Don't we know, Sir, that this machine has reduced us to a condition of paupers? What are we? After 155 years or 175 years of British rule in this country, what is our position in our country? (*An Honourable Member:* "What were you before?") It is said, Sir, that we are unfit to defend ourselves, we are unfit to defend our homes, we are unfit to defend our hearths; we are unfit even to manage our Railways. Not only are we unfit to manage the Railways, but we are unfit to manage even our finances. Is there anything we are fit to manage except to be the tools of the British Government for the aggrandisement of Great Britain? We are only fit to pay taxes, we are only fit to be used as tools, but we are unfit to do anything else which any self-respecting nation can be expected to do. That is the product of their machine government in India, and if they are proud of it, let them be. I do not object to it. I think they are human beings. They have come here to make money, to fill their pockets. (Laughter) and they are using every possible means to fill their pockets. Well, let them not pose as trustees. That is what I object to. If they are trustees, they are trustees of that kind which swallow every penny of the trust money. (Laughter). Are they really trustees? I do not believe they are. Some time ago a gentleman, who now occupies the position of a Cabinet Minister, Sir William Joynson Hicks, said in one of his speeches, "We conquered India by the sword and we propose to maintain it by the

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sword". Sir, the other day, when these reforms were on the anvil in 1918, one of the greatest representatives of the Anglo-Indians, Sir George Chesney, in his book on "India under Experiment" practically said that India gave them their bread and butter; they could not allow it to go out of their hands. That, Sir, is the truth. Let them not pose as humanitarians, let them not pose as trustees; let them behave as ordinary human beings and, keeping their interests at the back of their minds, let them try to get as much out of us as possible. That is their point of view, I know. I know we are helpless. Lord Birkenhead wants to remind us about the realities of the situation. Don't we know them? Don't we know that we are impotent? Don't we know that we are powerless? Don't we know that this Government has completely emasculated us? Not only emasculated us, but has also introduced that poison into our system by which our own countrymen are against us and support the Government as it is. (*Cries of "Shame, shame."*) Don't we know all that? It is the system to which I take objection. I submit, Sir, the whole history of the working of the Reforms has shown us that they, the British statesmen, did not mean what they said in 1917. Do they mean to give us some modicum of self-government? No, they do not mean it. They have been crushing us, they have been trampling all our decisions under foot, they have been treating us as criminals, as ordinary criminals, they have been keeping us under police surveillance; they have been opening our letters, shadowing us in the railway trains. And still they want us to believe that the British Government in this country really means to give us self-government. Sir, I do not believe in these hollow declarations. They are absolutely hollow and insincere. I do not believe them, and that is my one reason why I cannot believe in the *bona fides* of the present action of the Government in appointing a purely British Commission.

Sir, I do not want to go on very long, but I want to make just one appeal to my friends here, to Indian Members in this House. Friends, when you are voting

Mr. President: Will the Honourable Member address the Chair?

Lala Lajpat Rai: I beg your pardon, Sir. Well, Sir, I appeal to the Chair to help us, to let our Members realise that they are in the eyes of the British Government and in the eyes of the world at large mere helots. Let them remember, when they go to vote on this Resolution, that sixty millions of our countrymen died in one epidemic of influenza in 1918. Let them remember that 100 millions of our poor countrymen do not get two meals a day. Let them remember that there is no place of honour for us in the constitution of this Government unless we agree to surrender abjectly to all their demands and to play to their tune in their Councils, whether they be executive or legislative. Let them remember all that, Sir. We are under no delusions; we know that we are helpless; we know that we are surrounded by high waves; we know that our frail bark is every moment in danger of being overturned and swallowed up by the high seas. We know that we are sitting on the crest of a volcano and an eruption at any moment may swallow us in tongues of fire. We know that we are hanging in mid-air and that our own countrymen are deluded by the promises of this hypocritical Government. We know all that. We know that we are hanging over a precipice and any moment an avalanche might overtake us and bury us. We know all that. But

knowing all that, we refuse to accept the crumbs they want to throw to us. We are not dogs. We shall not accept the crumbs. We shall stick to our attitude and go down with honour and self-respect. Some of us know that individually they can add to their comforts and conveniences if they go with Government into the same lobby. We know that very well. But we are not going to do it. I hope, Sir, the Indian Members of this Assembly will remember that they have a great responsibility towards their own people, towards those babies who are dying in millions every day for want of nourishing milk because they are being ground down by the hard and cruel machinery, the political and economic machinery, which is in operation in this country. Why, every Government on the face of the earth is doing all that lies in its power to improve the health and vitality of its people, but this Government will not do it, because the money they take from us is required for their own purposes and the purposes of those gentlemen, the Anglo-Indian mercantile community. These latter profess to be our greatest friends; we are told they have supplied us with railways

Mr. President: I must ask the Honourable Member to conclude his remarks.

Lala Lajpat Rai: I will not take more than a minute. I only want to say one word to my Muslim friends. I would say to them, "Remember the Partition of Bengal. Remember the Treaty of Sevres". No amount of promises by this Government will ever help you. Islam does not teach you to be slaves and to cringe. I would say to them, "Play the game; be men and join in the struggle". This struggle will not end with this Commission. It is going to continue. I know that our work is very arduous, but I can assure you that whatever may happen we shall bear our sufferings cheerfully. We shall not appeal to the Britishers for mercy. We do not ask for pity. At the same time we shall do everything that lies in our power to impress upon the English nation that we are in earnest, in dead earnest to be the master of our own home and shall not accept any crumbs which they may offer to us for the satisfaction of our appetite.

Sir, I move.

Mr. President: The Resolution moved is:

"This Assembly recommends to the Governor General in Council to inform His Majesty's Government that the present constitution and scheme of the Statutory Commission are wholly unacceptable to this House and that this House will therefore have nothing to do with the Commission at any stage and in any form."

Before we proceed further I think I had better explain the procedure which I propose to adopt in regard to this Resolution and the amendments which stand on the paper. The question raised by the Resolution is whether this House should or should not co-operate with the Statutory Commission and I would like the Assembly to come to grips on that question and that question alone. There are a number of amendments more or less raising the same issue, but if I take up the amendment of Sir Zulfikar Ali Khan, which says:

"This Assembly recommends to the Governor General in Council that he be pleased to convey to His Majesty's Government the opinion of this Assembly that the procedure put forward by the Indian Statutory Commission merits the favourable consideration of this Assembly"

[Mr. President.]

it will, I think, meet the requirements of the situation enabling Members to discuss a definite issue as to whether this House is prepared to co-operate with the Commission or not. All other amendments in my opinion need not be moved. If the House restricts itself to this particular amendment and the original Resolution and discusses the definite issue raised by them, then I think the debate will be very much facilitated and the House will be in a position to come to a definite decision on the main issue. There are several amendments by the members of the newly formed Central Muslim Party, beside the amendment of Sir Zulfiqar Ali Khan. May I know from Sir Zulfiqar Ali whether he would ask his friends not to move their amendments and concentrate on his own amendment?

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, it is a misnomer to call any party the Central Muslim Party.

Mr. A. H. Ghuznavi (Dacca Division: Muhammadan Rural): Who are you?

Mr. President: Order, order. Sir Zulfiqar Ali Khan.

Nawab Sir Zulfiqar Ali Khan (East Central Punjab: Muhammadan): Sir, I think I voice the wishes of my Party when I say that they will speak on my amendment when you allow me to move it.

Mr. President: Therefore the amendment tabled in the name of Mr. Ghuznavi and Mr. Anwar-ul-Azim drops out.

I have also received intimation from Mr. Acharya that he does not propose to move his amendment but will support Lala Lajpat Rai's Resolution. Then there is the amendment of Mr. K. C. Roy.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I do not wish to move that amendment.

Mr. President: Then there is another amendment in the name of Mr. Rajah. I take it that he will also accept the suggestion of the Chair.

Rao Bahadur M. C. Rajah (Nominated: Depressed Classes): Yes, Sir.

Mr. President: Then there are two amendments in the name of Sir Hari Singh Gour. I do not suppose he will be prepared to accept the suggestion of the Chair. (Laughter.)

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): I am quite prepared to accept the suggestion of the Chair provided I get a chance of explaining that amendment in a speech.

Mr. President: The Chair cannot commit itself to anything. I should like to know if Sir Hari Singh Gour really wants to move his amendment or whether he is prepared to accept the suggestion of the Chair.

Sir Hari Singh Gour: I have already said, Sir, I am prepared to accept the suggestion of the Chair, provided....

Mr. President: If the Honourable Member is fortunate enough to catch the eye of the Chair.

Sir Hari Singh Gour: I do not wish, Sir, to take that risk. Therefore, if I am fortunate enough to catch the eye of the Chair I will abandon the amendment; otherwise I shall press it.

Mr. President: The Chair gives no such promise to the Honourable Member. But the first amendment is really not within the scope of the original Resolution. The Honourable Member really wants to have an independent committee of inquiry to be appointed by the Indian Legislature for what he calls the expansion of the constitution of India. The purpose of Lala Lajpat Rai's Resolution is to commit this House to the proposition that this House should not in any way co-operate with the Statutory Commission. That is altogether a distinct proposition from that which the Honourable Sir Hari Singh Gour desires to raise. Therefore that amendment in my opinion is out of order. The second amendment does not at all fit in with the Resolution. (Laughter.) Order, order.

12 Noon. Sir Hari Singh Gour wants to move the following amendment:

"That for clause (1) and clause (2) of the Resolution the following be substituted.

There are no clauses in the Resolution of Lala Lajpat Rai and therefore the amendment does not stand.

I understand Mr. Fazal Ibrahim Rahimtulla will not accept the suggestion of the Chair?

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division: Muhammadan Rural): Sir, I would like to move my amendment.

Mr. President: Will the Honourable Member tell me how the amendment differs from the original proposition?

Mr. Fazal Ibrahim Rahimtulla: Because mine is not a negation: it is a conditional boycott.

Mr. President: The Honourable Member wants to move:

"That this Assembly recommends to the Governor General in Council to inform His Majesty's Government that in their opinion the Commission as constituted and the scheme and the procedure as announced is not acceptable * * *"

That is the first part. Then the Honourable Member goes on and gives his reasons in the second part. I am of opinion that the amendment is substantially the same as the Resolution and therefore out of order.

Sir Hari Singh Gour: I rise to a point of order. I understood the Chair to ask me whether I was going to move the amendment at that stage...

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Is the Honourable Member in order now? That has already been ruled out.

Sir Hari Singh Gour: I therefore, assumed, Sir, that so far as the amendments were concerned, they were in order.

An Honourable Member: Both of them?

Mr. President: Without deciding the question of admissibility, I was inquiring from the Honourable Member whether, assuming that his amendments were in order, he was going to move them.

Sir Hari Singh Gour: With due respect, Sir, I did not hear that the Chair said "if they were in order, whether I was going to move them".

Mr. President: The fact remains that the amendments are not in order and therefore the Honourable Member cannot move them.

Sir Hari Singh Gour: May I, Sir, be heard on that point, if I can show to the Chair...

Mr. President: The Honourable Member must know that the ruling has been given.

Sir Hari Singh Gour: The ruling has been given without hearing me, Sir...

Mr. President: Order, order. What the House has before it now is the original proposition moved by Lala Lajpat Rai and the amendment which will shortly be moved by Nawab Sir Zulfiqar Ali Khan. Sir Zulfiqar Ali Khan.

Nawab Sir Zulfiqar Ali Khan: Sir, I move the amendment standing in my name.....(*Honourable Members:* "Louder, please", "Speak up.") Wait a bit. I move the amendment which stands in my name and runs thus:

"This Assembly recommends to the Governor General in Council that he be pleased to convey to His Majesty's Government the opinion of this Assembly that the procedure put forward by the Indian Statutory Commission merits the favourable consideration of this Assembly."

Sir, before I develop my arguments in favour of the amendment, I wish to make it very clear to this House that I am conscious of the sacredness of the subject which is before us to-day, and that no patriotic Indian can for a moment deny the one supreme topic of the day which is engrossing the attention of the whole of the Indian peoples at this time, and that is the question of further reforms in India. I wish to make it clear to the House further that I speak on the subject with an absolutely unbiased mind. (Hear, hear.) I am not swayed by any plums or favours either from any party or from the Government (Hear, hear), and I shall speak out what I find is my innermost conviction. (*Some Honourable Members:* "We know it.") Well, if you know it, you had better go out. Sir, I have very attentively listened to the impassioned speech which the Leader of the Congress Party has just delivered. (*An Honourable Member:* "Has he?") I mean the Leader of the Nationalist Party (it does not matter). I congratulate him on the sentiments which he has so eloquently expressed, and I hope to deal with them during the course of my speech. Now, Sir, the whole question revolves round the one subject, that is, whether this Assembly should give its co-operation to the Statutory Commission or withhold its co-operation from it. Sir, I may be allowed to say a few words of explanation before I come to the real topic, and that is I want to take this Assembly back a few years, perhaps a few months to the condition of India before the announcement of the composition of this Statutory Commission was made in England. We all remember very well indeed the political horizon of India which was so overclouded with menacing clouds of anarchy and partisan animosities. We all remember how India was afflicted and is afflicted now with dissensions resulting in bloodshed, resulting in the inflaming of religious passions. (*An Honourable Member:* "We are not afraid of them.") There was no day free of news coming from different quarters of India of tragic happenings taking

place not only in one province but in almost all provinces of India. This was the atmosphere, this was the condition of Indian politics when the problem of the constitution of the Statutory Commission was before the Government of Great Britain at home. Now, Sir, India is not inhabited by one community: India is a mosaic work of nationalities. India is claimed by so many religions, by so many races as the common property of all those peoples. (Hear, hear.) Now all these different communities have their different politics. All these different communities have their different ambitions, and we have seen by experience that these communities, warring among themselves, have no confidence in each other. In these circumstances, Sir, could the House of Commons or the House of Lords constitute a Statutory Commission which could be composed of people who entertained one set of opinions on politics? Could they very well satisfy the ambitions and the desires of the people by composing the Statutory Commission of people who would pay regard only to one set of opinions? No, I do not think that any wise people or enlightened people could afford to deny to others what they desire to put before them. There are Sikhs, there are Muhammadans, there are Hindus, there are Mahrattas, there are untouchables and I do not know how many more.

Mr. M. S. Aney (Berar Representative): Are not Mahrattas Hindus? (Laughter.)

Nawab Sir Zulfiqar Ali Khan: There are Brahmins and non-Brahmins. (An Honourable Member: "They are both Hindus".) Now, Sir, India, situated as it is could not put forward a common claim before Parliament. Parliament's duty was quite clear. It constituted a Statutory Commission, a Commission which, according to the views not of themselves but of those who claim separate rights, is the one tribunal which would do justice to the minorities in this country. Sir, the minorities cannot be ignored. There are dynamic minorities in India. They have a historical background and they have got their claims which cannot be ignored either by the Government or by any majority community. Under these circumstances, Sir, this Commission which is constituted purely of Members of Parliament is welcome to those who do not and cannot get justice from their own people. (Applause.) We have tried them. (Honourable Members: "When?" "Have you?") In Simla, in Benares, in Delhi, in Lahore and in Calcutta. Now, Sir, this Commission constituted as it is entirely of Members of Parliament commands our confidence (Honourable Members: "No", "Whose confidence?") because we know that this is the tribunal which will do justice to the minorities and this is the main point here in India. Now, Sir, this Statutory Commission immediately on its arrival in India issues a statement asking for co-operation on the part of the different communities, the leaders of different communities, in India. (An Honourable Member: "You are enough for the purpose.") We all know what it is. It was a frank, plain and honest offer made to the Indian people to come and co-operate and take part in the discussion for the betterment of the conditions of the Indian peoples. The result is that some people gathered together in perhaps half an hour and decided their attitude with regard to it. (Applause.) They did not even consider it worth giving two days within which to consider and determine as to whether it merited any co-operation on their part. So far as I know I do not think they took more than half an hour to come to this conclusion. (An Honourable Member: "It does not

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deserve five minutes.") Now, Sir, I think that my Honourable colleagues and those who have signed this document have not appreciated the seriousness of the situation. (Hear, hear.) They have not considered that on the reply they have given from their point of view as the leaders of India depends perhaps the happiness so far as they are concerned of their India. If I am allowed to say so, this reply shows in unmistakable manner the bankruptcy of statesmanship in India. (Applause and Hear, hear.) If I were in their place, (*An Honourable Member*: "You are.") if there were honest patriotism, the reply which I would have given would have been in the spirit of conciliation and not of opposition. I would have said, "All right, since the President of the Royal Commission has extended his friendly hand and has offered his co-operation and has facilitated the work of the consideration of further reforms, we are willing to discuss matters with you; we shall come to you and we shall discuss and perhaps try to compose differences which exist at all. And if after discussion of the differences with the Royal Commission, we do not come to an agreement or do not come to an understanding, we would not have been worse off at all than we are now. If no adjustment was possible, we might have declared, "Now, we have made an effort; we could not compose our differences; all right, we shall boycott you." But no such effort has been made and this shows that there has been bankruptcy of statesmanship. (Applause.)

Now, Sir, I do not remember all the names of the gentlemen who have signed this document. (*An Honourable Member*: "May I give the names?") You may or may not; it is immaterial to me. But so far as I remember there are some names which certainly command my respect, who have by their political career established an impression by sheer force of their personality; but there are also men among them who do not command that respect and who do not represent the public opinion of the different provinces.

Maulvi Muhammad Yakub: More than you, in any case. (Applause.)

Nawab Sir Zulfiqar Ali Khan: Because I was not the President of the Calcutta League.

Maulvi Muhammad Yakub: You could not be elected there. You do not command that confidence. Let us have an election on this issue. We know who are elected and who have come by nomination. (Applause.) (*An Honourable Member*: "There is a lot of noise.")

Nawab Sir Zulfiqar Ali Khan: I do not mind the noise. Perhaps they know that I am speaking the truth and they try to drown my voice. (*An Honourable Member*: "No.")

Mr. E. Ahmed: You mean exactly like Maulvi Muhammad Yakub who was converted by Mr. Jinnah and posed or made himself President though three days before he opposed the holding in Calcutta of a session of the so-called Muslim League.

Nawab Sir Zulfiqar Ali Khan: I was talking about the personalities of these signatories when I was interrupted. I said that some of these people fail to command that respect which as signatories of this famous document

they ought to have, and therefore I think the affixing of their signatures to this document does not carry any weight. I would ask them, then, what was the extraordinary circumstance that they could not secure the signatures of those who were outside their own circle. I dare say there are many prominent men, intellectual men, wise men in India whose signatures they might have obtained, but they were afraid that they would not be able to secure their signatures and that is the reason why their names are absent from that document. Sir, it is not a secret to this Assembly that there is such an acute difference with regard to this problem in all the provinces of India, which is in direct contravention of the claim which has been made just now on behalf of India, that an overwhelming majority entertain the contrary view. (*Members on the Congress Party Benches*: "No.") Speaking on behalf of my own province, whatever view the clamorous section of the House opposite may say, I can assure Honourable Members that the Punjab people are solidly on the side of co-operation with the Commission.

Maulvi Muhammad Yakub: Have you read Mr. Barkat Ali's telegram in this morning's papers from the Punjab?

An Honourable Member: Do not trifle with the Punjab.

Nawab Sir Zulfiqar Ali Khan: I can assure the House that the noise which the Swarajists are making, makes no impression on the country. (*Laughter from the Congress Party Benches*.)

Mr. President: Order, order: The Honourable Member has exhausted his time limit, but in view of the fact that he has often been interrupted, I will allow him five minutes more.

Nawab Sir Zulfiqar Ali Khan: Thank you, Sir. I trust you will ensure me these 5 minutes uninterrupted.

Now, Sir, my reasons for supporting the Statutory Commission are these. In the first place, the feeling of inter-communal tension is rampant in the country which lead to riots and bloodshed. In the second place, the majority community have refused to concede the rights and claims of the minorities in India. Now, Sir, with regard to the second point, it is an open secret that in the Simla Unity Conference, when a serious effort was made to compose the difference, my Hindu fellow-countrymen did not at all allow the Muhammadans to approach the subject of separate electorates and the adequate representation of Muhammadans in the services. Whatever efforts were made on the part of Muslim Members on this behalf were defeated. In elucidation of this point, I may reproduce before the House the Resolutions which have been passed by the Hindu Maha Sabha so recently that they were reported in the *Hindustan Times* of February 10, 1928, and I wish that my Muhammadan brethren will listen to them with attention and edification. The resolutions run as follows:

"(a) That there shall be uniformity of franchise for all communities in each province.

(b) That elections to all the elected bodies shall be by mixed electorates."

With regard to (b) it is quite clear that in spite of the differences with regard to the reception of the Royal Commission, these people still adhere to their own faith in depriving the Muhammadans of their legitimate

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right. We want, Sir, separate electorates and they tenaciously stick to what they have held all along and are not willing to concede even this point.

Mr. M. A. Jinnah: Did not the Honourable Member accept the Delhi Muslim proposals?

Nawab Sir Zulfiqar Ali Khan: Yes, I accepted the Delhi proposals. (*The Congress Party Benches: "Hear, hear".*) Listen to me and do not be hasty. I accepted the Delhi proposals, but I am an elected Member and when I went back to my constituents, they advised me to change my views and I had to abide by their wishes.

Diwan Chaman Lall (West Punjab: Non-Muhammadan): What is the Honourable Member's own personal view in this matter?

Nawab Sir Zulfiqar Ali Khan: Personal views have no weight in this matter. (*Laughter from the Congress Party Benches.*)

Nawab Sir Sahibzada Abdul Qaiyum: The Delhi proposals were never accepted by the Hindu community in their entirety.

Mr. M. A. Jinnah: Don't you want them?

Nawab Sir Zulfiqar Ali Khan: May I be allowed, Sir, to proceed with my speech?

Mr. President: If you please.

Nawab Sir Zulfiqar Ali Khan: The third resolution runs thus:

"(c) That there shall be no reservation of seats on communal considerations in any of the elected bodies and educational institutions to start with, but if a minority community in any province were to demand a reservation of seats, such reservation may be granted only in the legislatures for a short period and on the basis mentioned in clause (d). In no circumstances, however, shall there be any reservation of seats in favour of any minority community.

(d) the basis of representation of different communities shall be uniform, such as, adult population, voting strength or taxation.

(e) The redistribution of provinces in India, if and when necessary, shall be made on their merits in light of principles capable of a general application with due regard to administrative, financial and similar other considerations. But no new provinces shall be created with the object of giving a majority therein to any particular community. In the case of provinces like the North-West Frontier Province and Baluchistan and Scheduled Districts, steps should at once be taken to secure with as little delay as possible the benefits of a regular system of administration both judicial and executive so as to leave no ground for refusing them the full benefits of the future reformed constitution of the Government of India.

(f) There shall be no communal representation in the public services, which must be open to all communities on the basis of merit and competency ascertained through open competitive tests."

After listening to these resolutions, I am sure my Muslim brethren, whatever Party they may belong to, will hang down their heads in shame. (*Members on the Congress Party Benches: "Why?"*) Because they are denied the justice that they expected from the Hindus. Is there any Muhammadan here who would abide by these conditions? Can he go back to his province and say

Mr. President: Order, order: I must ask the Honourable Member to bring his observations to a close.

Nawab Sir Zulfiqar Ali Khan: Sir, Lala Lajpat Rai in the course of his speech, which he delivered in a feeling tone, remarked that Indians are considered fit only to pay taxes and are not considered eligible for performing any higher duties. Well, Sir, for his consideration I may say, well travelled man as he is, that he ought to know that no country remains under subjection unless there are defects in the national character of that country.

Mr. M. A. Jinnah: Unless they deserve it.

Mr. President: Order, order: I must ask the Honourable Member to conclude his remarks.

Nawab Sir Zulfiqar Khan: If I am hurried along, I must end.

I beg to move the amendment which I have already read.

Mr. President: Motion moved:

"That for the original Resolution, the following be substituted:

"This Assembly recommends to the Governor General in Council that he be pleased to convey to His Majesty's Government the opinion of this Assembly that the procedure put forward by the Indian Statutory Commission merits the favourable consideration of this Assembly"

As I have already explained to the House, the original proposition and this particular amendment raise one and only one issue, namely, whether this House should extend its co-operation to the Statutory Commission, or that it should not. Both the original proposition and the amendment are thus incapable of being discussed together, and therefore I throw open the discussion on both these motions together. When the discussion is closed I will put the amendment to the vote first, and if it is carried, the question is resolved. If it is not carried, I will put the original proposition to the vote.

Sardar Muhammad Nawaz Khan (Punjab: Landholders): Sir, it is very kind of you to give me—a back bencher—an opportunity to take part in this most important debate. Lalaji stated that the Muslims should remember the Partition of Bengal and the Treaty of Sevres, and should put no faith in promises. I would like to draw his attention to a few words in his very learned argument. He told us that he has no faith whatsoever in the intentions of the ruling power, and for that reason alone he thinks that he should not co-operate with the Commission that has been sent out to India. Well, Sir, I admit that he is more experienced than a person like me, and therefore I will not dispute whether the intentions of the present ruling power are correct or not, but if he means to imply that by non-co-operating with the Commission which has been sent out to India he will be forcing the hands of the administrators here or those of the administrators in England, then I beg to differ from him. I venture to think that no one will ever be in such a position, *i.e.*, of forcing the hands of the administrators by talking in the Legislative Assembly or in any other part of the Indian Empire. He knows more of history than me, but probably he will not be able to give me one example in any country's history where any foreign nation, any nation of conquerors, went back saying: "Here you are, we are going back to our home because you do not want us and now you can look after your own affairs."

The present position is this. The present rulers are in India. How they came, whether they dropped from the skies, or sprang from the earth

An Honourable Member: They came across the seas.

Sardar Muhammad Nawaz Khan: Whether they have any right to be here or not, is not the point which I would venture to discuss. We have to admit the fact that they are here. Now what do we want them to do .

An Honourable Member: That they should not be here.

Sardar Muhammad Nawaz Khan: Will you please listen to me. I will try to do my best to suggest means. We say to them, " Our position in India is bad. Will you better it?" They say, " We will." Some of us think that they are honest in saying that, while some of us are of opinion that they are dishonest. There comes the division. Those who think that these people are dishonest cannot be made to think otherwise, because it is not in my power or in the power of anyone else in this House to convince them. That is their conviction, and probably it is based on very sound grounds of which I am, and others like myself are, not aware. For those people who do not doubt the intentions of the administrators in England, I think it is very difficult—from the speech which Lalaji has made—to conclude that the gentlemen who have been sent out to India have come out with the intention of not giving any kind of hearing to us, and that they will not listen to what we have to say, and that even if they did so, then they will not pay any attention to it but will go back and make a report to the same end with which in view they came out to India.

I hope that Lalaji, if he thinks that we have no right or authority to speak in this Assembly on behalf of our constituencies, will change his opinion. I do not belong to the Central Muhammadan Party; I do not think that any Muhammadan, even if he happens to be in the Central Muslim Party, or the Congress Party or the Independent Party, has given any promise or offered any agreement to the Government that he is going to vote with them. That is not the case. I beg to submit that if Lalaji thinks so then he is mistaken. If any of us votes with the Government—as probably a lot of us will do—then that will simply be because we are convinced that if Indians want to have their lot made better, then in the present circumstances it can only be done by co-operation. I do not mean co-operation blindfolded, but I honestly fail to understand how it can be possible for any of us to refrain from going to people who have been sent out here from England to inquire into the working of the Government of India Act. Whether they are the proper persons for that purpose or not I do not know. But they are out here for a certain work, and if we say to them, " We are not going to tell you what our grievances are," then how on earth are they going to know our troubles?

Then comes the point of view of those people who think that even if we were to go to the Commissioners who have come out, and even if we were to tell them what we want, then too they will not give us all that we ask for. Probably not. But the fault lies with us and not with the Commissioners or with the British nation as a whole. Look at us, we are divided. Who will deny it? Unless we can attain that unity which would enable us to put our case properly in the Assembly, or elsewhere, we will never attain our object. I do not mean to say that there can be any country on this earth where there will never be any difference of opinion, but I am quite sure that in India there can be unity. There have been times occasionally when a certain amount of unity has been attained and

I am quite sure that the gentlemen of the Congress Party and those of the Independent Party will agree that when we do attain unity then it will be plain sailing; but "when is that unity going to come" is quite a different question. It will take, in my opinion, a very long time. But I think that in the present situation to boycott the Commissioners simply because they happen to be people from England, knowing nothing whatever about them, knowing nothing as to what their intentions are, whether they have really been instructed to make a certain kind of report, but simply taking it for granted that because they belong to the British nation therefore they are bad, is not a correct attitude for this House to take.

The Honourable Mr. J. Orerar (Home Member): Sir, I rise on behalf of Government to oppose the Resolution and to support the amendment moved by my Honourable friend, Sir Zulfiqar Ali Khan. It will not be questioned in any part of the House that both the Resolution and the amendment by which Sir Zulfiqar Ali Khan seeks to amend it raise issues of incalculable importance for good or evil to India and my first submission to the House would be this, that those issues ought to be deliberately and dispassionately considered. Whatever views may be entertained as to the position in which we now find ourselves or as to the course which we ought now to take, nothing will be gained by disguising these questions in clouds of passion and prejudice. It was natural that, on the first announcement of the appointment of the Statutory Commission, an event so important should rouse throughout the country a lively and diverse movement of opinion. It was natural that many questions should be asked and even that some apprehensions should be entertained. Much, however, has since occurred. Several important pronouncements have been made, which, if properly regarded and construed, enable us at any rate to view with greater certainty and understanding the position in which we now stand. Whatever the first reactions may have been and however deplorable the incidents, proceeding on rash and impulsive counsels on which I have no desire on this occasion to dwell, which we have witnessed, there is now no reason—in fact there is every reason to the contrary—why we should not proceed to the consideration of this great issue in a spirit worthy of its magnitude. I shall myself endeavour sedulously to avoid anything that may partake of or may tend to provoke acrimony or prejudice; and, as the ground to be covered is so extensive, I shall confine myself only to a few salient points which are implicit in the question before the House or which have been raised in debate. I listened, Sir, with the greatest interest and attention to the eloquent speech made by Lala Lajpat Rai and I confess that it confronts me with some preliminary difficulty. The speech made by Lala Lajpat Rai was eloquent; but I think it may have been made perhaps on many different occasions and in respect of many different propositions than those which are actually contained in this Resolution. I am confronted with the choice of following Lala Lajpat Rai in his eloquent speech or of pursuing the questions raised in his Resolution. As I do not propose to contend in oratory with Lala Lajpat Rai and for many other compulsive reasons I propose to follow the second course and to pursue the questions raised in his Resolution.

Now, Sir, what must be the basis on which our examination of these questions should proceed? On this point I confess that I have a preliminary difference with Lala Lajpat Rai. In the first instance I must

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state quite explicitly that the only axiom on which I can myself proceed is that the conclusion of the great transaction which is now being opened must rest in the last resort with the authority and the responsibility of Parliament. (*Cries of "Question" from Members of the Congress Party.*) That axiom must of course be considered in the light of the policy of Parliament declared ten years ago which contemplated as the goal responsible self-government in India. (*An Honourable Member: "When?"*) Lala Lajpat Rai said he questioned the good faith of that pronouncement. He did it, as I understood him, on the allegation that the pronouncement was a war measure and that it was issued with the object of bringing America into the War. Sir, America came into the War in April 1917, before the pronouncement was made. Effect was given to that pronouncement two and a half years after the War was over. How can it be contended that that pronouncement was a war measure? And if that is the only ground on which Lala Lajpat Rai impugns the good faith of Parliament and of the statesmen who made that declaration, his grounds are historically wrong and in my opinion they are morally wrong. Well, Sir, I say that that policy must further be considered in the light of the recent debates in Parliament; and I venture to add that any candid reader of these debates will not deny that there was evinced on all sides, by the leading spokesmen of every political party in England, the most earnest desire that the issues now confronting us should be settled with the utmost possible degree of agreement with political opinion in India. I qualify, Sir, the axiom which I stated by those considerations. But I must adhere quite firmly to that axiom. There are those who deny that proposition; it has been denied here and in this House. Well, that is a position which obviously I cannot accept and against which I think it would be superfluous and idle for me to contend in detail. Those who hold that opinion are no doubt, in a sense, entitled to hold it, because opinion is free and unconstrained. But if we are prepared to admit that a reasonable man is under a moral and intellectual obligation to form his opinions on a reasonable basis, if he must take into account the history and the law of the matter in hand and all the compulsive forces of reality, then, I submit, the title to such an opinion becomes much more doubtful. There arises, in short, the difference between a responsible and an irresponsible opinion; between a reasoned and unreasoned opinion; between a practical and an impractical opinion; and, in that difference there surely lie most of the tests of a valid and an invalid opinion.

Now, Sir, if so much is true of that single and initial proposition, it is no less true of every aspect of the problem before us. We are not engaged in any academic disquisition on political science, but in a clear-cut debate which calls for decision and action. Every aspect of it must be regarded in the light of the actual facts of the case and not, as our immediate impulse, of its ideal possibilities. Rhetoric and dialectic will help us little; they are more likely to lead us astray, I fear. We must avoid the error, condemned by the great Liberal historian, Lord Acton, of "making the splendour of words duty for realities". We must endeavour to see things neither mantled in a mist of words nor distorted in the fitful flame of prejudice and invective; but in a calm, dry light of truth and reason.

Now, Sir, as you yourself pointed out, the question before the House is the question of collaboration in a great inquiry. The immediate question before us is whether any inquiry into the Government of this country is necessary before any change is made in it, and if so, by what means the inquiry should be conducted. I think the implication of Lala Lajpat Rai's speech was that any inquiry is superfluous. That any inquiry is superfluous has been alleged on very different grounds. It has been alleged that no inquiry is necessary because the fulfilment of all conditions requisite to full responsible government in India is a patent and established fact. It has been differently alleged that any inquiry would be a mere sham, because a complete series of preconceived decisions has already been arrived at . . .

Diwan Chaman Lall: He never said that.

The Honourable Mr. J. Crerar: I thought that it was implicit in the argument of Lala Lajpat Rai. If it was not, I welcome an admission of that fact. But the suggestion, if not implicit in Lala Lajpat Rai's speech, has certainly been made elsewhere in discussing this matter.

Now, Sir, I submit that both allegations are equally remote from the facts—it is impossible to say which is more completely so removed.

If it is necessary to explain so obvious a proposition, let me say why I consider that such an inquiry is necessary. I am fortified in that belief by the views expressed by the signatories of the minority Report of the Reforms Inquiry Committee which contemplated with approval "the appointment of a Royal Commission with freer terms of reference and a larger scope of inquiry" than their own; and by the terms of the amendment moved to a Government Resolution by the Honourable and learned Pundit, which I have heard described as the National Demand, and which expressly referred to "such inquiry as may be necessary". . . .

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhamadan Rural): For what purpose?

The Honourable Mr. J. Crerar: It is an obvious necessity of the case. Take the whole system of Government itself against which the greater part of Lala Lajpat Rai's eloquence was specifically directed. The Government and administration of India have now been carried on for seven years under the system set up by the Government of India Act. We have to deal with that system and its results. Honourable Members opposite will not, I think, demur when I say that the system itself has frequently been challenged; they have frequently challenged it themselves. The speech of Lala Lajpat Rai was almost from beginning to end a challenge to that system. Now, is not the fact that the system has been challenged—if that means that the system ought to be changed—a sufficient ground in itself for an inquiry into the character of the system which it is proposed to substitute for it?

It has been contended with emphasis that the present system has succeeded; with equal emphasis, that it has failed; more truly, perhaps, as is commonly the truth in all human transactions, that it has partly succeeded and partly failed. How are these opposing contentions to be judged or established? They cannot be established by mere assertion on

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either side. They can only be judged or established by an assessment of results, and that, I take it, must be one of the earliest preoccupations of any agency of inquiry that could possibly be discovered. An inquiry of some kind is inexorably necessary. That would be true even if either of the extreme views—of complete success or irremediable failure—were taken. Most of us, I imagine, by temperament, experience and conviction, if we allow these their due weight in our decisions, are not enamoured of extreme views and, if we discard them, we have to admit the conclusion that, though the balance may incline in either direction, the verdict must be that the reforms have partly succeeded and partly failed. I think myself that they have mainly succeeded. But, whatever the measure of success or failure has been, whether enough, on the one hand, to justify perseverance in our present path or enough, on the other, to render necessary a departure from it, these are all matters for inquiry.

Are there not many other matters which, whatever our policies, our prepossessions or our prejudices, if with candour and honesty we look back on the past or survey our present position, we must admit are matters which urgently call out for inquiry? Lord Acton, whom I have already quoted, summed up in a phrase a lifetime of political reflection and historical research when he said: "The test of liberty is the position and security of minorities". Is there not here much matter for inquiry in India? The position of minority communities? Joint or separate electorates? Financial settlements with the provinces? The re-adjustment of provincial areas? And last, not least, communal differences? Are these not still acute, outstanding controversies, and can they be settled otherwise than by inquiry?

But I may be told, the question is not whether these are fit subjects for inquiry; the question is as to the form and manner of the inquiry. I may be told by Honourable Members opposite: "We propose to inquire into these matters and settle them ourselves". I have no quarrel with that position. But I must point out that there has never been any impediment imposed either by the Government of India Act or by the Government of India on an enterprise so laudable, on a consummation so devoutly to be wished. I must add that, to the public misfortune, so far not much progress has been made towards that achievement. But I would be content to infer an agreement on this point at any rate that the necessity for inquiry exists, that the effort to make it has hardly yet been made and has certainly not been exhausted.

Above all, if new paths are to be explored, if new expedients are to be devised, if old policies are to be reviewed, above all, in that alternative, is inquiry necessary. To proceed otherwise is to proceed on counsels

1 P.M. either of recklessness or despair, to gamble with the future or to take the most direct road to disaster. For my own part, Sir, while, in surveying the events of the last few years and even of the last few weeks, I see evidence of actions proceeding on counsels of recklessness. I deny entirely, however overcast the horizon may be, however rough the road, however difficult the obstacles—I deny entirely that there has ever been or is now any reason or justification for counsels of despair. (Applause.)

Now, Sir, I spoke of the methods hitherto employed, of the enquiries already made in this country, of endeavours that have been made to settle

these outstanding controversies. I have no desire whatever to question in any way the integrity of intention, the sincerity and the good will with which those endeavours have been made. But what in point of fact has happened? Conferences have met, these questions have been discussed and much eloquence has been poured forth with regard to them. Generally, the real substantial issues have been referred to a Committee. Ordinarily that Committee has adjourned and very frequently has not re-assembled. The fact remains that not much perceptible progress has been made in the last few years by these measures towards a solution. If the expedients which have hitherto been attempted have failed, I maintain that we should be acting wisely if we collaborated in an inquiry, an impartial and an authoritative inquiry, conducted by expedients of an entirely new order, though fulfilling in every practical particular what has so often been required but never hitherto was so near in prospect of realization; and I refer not only to the proposals put forward by the Statutory Commission regarding its own procedure and deliberations but also to the subsequent proceedings. The scheme must be considered as a whole. The subsequent procedure contemplated and intended by His Majesty's Government is a great opportunity, an opportunity which we shall be much to blame if we lose. It is an opportunity which, if lost, may not easily return. Now, Sir, I think we ought not to be precipitate in this matter. My Honourable friend Sir Zulfiqar Ali Khan referred to a document which was published immediately on the appearance of the statement issued by Sir John Simon on behalf of the Commission of which he is, by the authority of Parliament and the Crown, the appointed leader. What was the reason for this precipitate and unceremonious rejection? I understood an Honourable Member opposite to claim that it had been considered for three hours. But even so, Sir—and I give the fullest weight I can to three hours of deliberation—I must adhere to my conclusion that that was a precipitate and unceremonious rejection of a considered and well-weighed document drawn up by one of the most eminent of British statesmen. (Applause.) Was it because those who urged this precipitate step on this House and upon all others concerned were acutely conscious that that document was a formidable and convincing reply to the position which they themselves have hitherto with equal precipitancy maintained? Was it that they sought by this means to prevent the contents of that document from receiving full and fair consideration from reasonable and moderate opinion throughout the country? I have not yet heard any satisfactory answer to this question. I do not think that this House will permit itself to be misled into so ill-considered and so imprudent a course. I do not believe that the many communities and interests in this country which have proposals to put forward, grievances to remedy and cases to state, will neglect the most powerful instrument for doing those things which has ever yet been offered to them and which is now within their grasp. That opportunity, Sir, may not come again. It may not remain open long. I am not in any way in the secrets or in the confidence of the Statutory Commission.

Lala Lajpat Rai: May I ask the Honourable Member if the statement of Sir John Simon was foreshadowed by the *Pioneer* a few days before it was made?

The Honourable Mr. J. Crerar: I am unaware of it, Sir. I would merely ask those who honestly and sincerely desire to see a conclusion to

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the question and controversies by which the country is now troubled, whether they will take the grave risk of losing an opportunity of working to that end on honourable terms with an impartial and independent body.

In conclusion, Sir, I desire to make one more submission to this House. One of the things most remarkable in history, as in the lives of individual men, is this, that times of crisis may arise, may pass and may make an indelible mark for good or evil on the destinies of States or our own private fortunes without creating at the moment any clear perception of what has happened, what is happening and what the consequences may be. In what we now recognise, with the easy familiarity of an informed posterity, as times pregnant with portentous changes, contemporary spectators, and even some of the principal actors in the scene, appear to have moved unconsciously and unaware. Sir, this also is a time prolific in fateful issues; but none of us here present have now, or will hereafter have, any excuse for failure to recognize that this is so. The issues are too clear, the facts too apparent, the omens too unambiguous, the opportunity, to be seized or lost, too obvious, to permit of that. A situation so plain in its challenge, so insistent in its demands, ought to receive from us the best response we can give. I desire only to repeat and to recall the words which were very lately heard in this House:

"Whatever men may be tempted to think at the present moment, I dare predict that the searching inquest of history will not fail to return judgment against those who sought to use their power to hinder when it was in their power to help."

(Applause.)

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

The Assembly re-assembled after Lunch at Quarter Past Two of the Clock, Mr. President in the Chair.

Mr. S. Srinivasa Iyengar (Madras City: Non-Muhammadan Rural): Mr. President, I listened with amusement to the Honourable the Home Member's speech. He told us that my Honourable friend Lala Lajpat Rai's speech was full of clouds of passion and prejudice and he asked us to be very reasonable men. He also threatened us somewhat mildly that this is the last chance that we have, and if we do not now co-operate with the Commission we will not have any other chance. Now, Sir, I want to remove the reproach that Indians have not looked at this Commission with that dispassionate and calm judgment which characterise members of the alien bureaucracy. I think we have also learnt, thanks to them, all the arts of statesmanship and restraint and control of passion. Passion and prejudice! Passion and prejudice I think are more to be found on the other side, on the official Benches, only they are sought to be made invisible. Training and skill mask the hidden passion and the deep prejudice which have been responsible for marring the destiny of India and for mismanaging the affairs of India in the singular fashion in which they have been mismanaged during the British connection.

Sir, the genesis of the Commission can be briefly told. We consider that the British Government and the Indian Government took advantage

of the communal tension, the undoubted communal tension that prevailed in the country, and while they were saying originally that they could not advance the Commission before the expiration of the 10 years, they took power to amend the Act of Parliament though they could not take power to amend the Act of Parliament so as to include Indians, so as to enlarge the scope of the Commission, and to do various other things, but they took power to amend the Act of Parliament in order to advance this Commission. I say this Commission is not wanted by any responsible section of Indian opinion. Why was it thrust upon India? Because it was supposed that there were differences between the political parties in India, and more, it was supposed that the riots and the communal disturbances that disfigured the public life of the country would be a permanent feature. They said to themselves: "We must strike the iron while it is hot and therefore let us announce the Commission at once. The most favourable features from our point of view are present now, and if we allow unity to be forged then our purpose will be frustrated." That I consider is really the meaning of this advance of this unwanted Commission. In the second place, it was said there was British fair play. There may be fair play north of the English Channel, but fair play is a legend elsewhere and to India there is certainly not fair play. From such experience as I have had and my colleagues have had, and such experience as the Indian people have had, there has been no fair play in all essential matters. In small matters where I want a small thing to be done I can no doubt get it done, but if I want a very important thing for the country and radical changes in the constitution, if a man is patriotic, he can have no influence with his friends on the opposite side. That is obvious. Therefore, the point of view which the Indian National Congress took on behalf of the people of India and the Congress Party in the Assembly has to take on behalf of the technical electorates in the country is that we can place no reliance whatever upon this Statutory Commission, and that for excellent reasons. The foremost reason we have is that the Indian people do claim the right of determining their own constitution unaided by any such Commission. That right of self-determination was promised by Mr. Lloyd George when he said that this right extends to tropical countries as well as to the European peoples, and that solemn declaration has been flouted. In the second place, we say that we are not going to be parties directly or indirectly to an examination into the fitness of ourselves and of our countrymen for Swaraj or full responsible government. A Commission of this character is constituted not only in the technical phraseology of the Statute, but substantially for the purpose of enquiring into the fitness of Indians for Swaraj, whether the reforms are to be extended or to be curtailed, and if so, under what conditions, whether second Chambers should be established in the provinces, and for enquiring into various other interesting questions. All these are questions which must be determined by Indians themselves and must then be a matter for negotiation, as Lala Lajpat Rai has said, between the British Government and the Indian peoples' representatives. We insisted on a round table conference for that purpose. That is the second objection to this Statutory Commission. The third objection is, as I have already anticipated, that it has come to us at a time when we do not want it, and we have got a very clear picture of what it is that this Commission is likely to do. All the loopholes which the present Montagu Act leaves will be stopped up, and by means of a number of statutory phrases with admirable provisos you will get some

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kind of Statute which will make any responsible government in India impossible. And the fourth reason is the spirit denying freedom to India which lies behind these proposals. This Commission, from every point of view, from the Congress Party's point of view, from the Nationalist Party's point of view, from the Independent Party's point of view, from the point of view of all Parties, stands conceived in mistrust of the Indian people. There is not the slightest doubt that the experiences in connection with the Skeen Committee, so far as my judgment goes, have had much to do with the constitution of this Commission. Indian and British gentlemen were on that Committee and evidence given *in camera* was also available to the Indian members of the Committee, but when the Sub-Committee's confidential report was asked by that Sub-Committee to be made available to the public at large the British Government decided that it should be kept confidential and should not be published. I understand from that, and Sir John Simon's statement emphasises that point, and this Parliamentary enquiry which is now being held also emphasises the point, that they want to have the official version first and to have the *in camera* evidence without the Indians having anything to do with it. That also is a circumstance which, whether a man like me has regard to it or not, is certainly a matter which legitimately concerns the Indian people. Lastly, we consider that this Statutory Commission is a deliberate and calculated affront put upon the Indian people. It has been said about this word "affront" that we are using the word merely for the purpose of taking up an attitude, and it has been suggested that Indian leaders are lacking in statesmanship and that there is bankruptcy of statesmanship. If there is bankruptcy of statesmanship, the opposition benches should welcome that bankruptcy and they should delight in it because we make a present of that bankruptcy. (*An Honourable Member*: "Why?") Because they are trustees of the interests of the British people, and we know why they are so solicitous about the protection of minorities. Whether other minorities like the great Muhammadan community are going to be protected or not, and while neither majorities nor minorities are to gain any advantage, I know there is one minority community in India which will certainly get the largest possible protection against every majority and every minority in India. That community is the European official and non-official community in India. That is the protection for which the present system of administration stands. That is the one truth in the whole of the statement which the Honourable the Home Member made. Beyond that I have not been able to see the protection of the so-called untouchables or Muhammadans or Christians or Parsis, let alone the general mass of the people. Can any one honestly say that their interests have been protected and safeguarded by this present administration? It is therefore quite clear to us looking at it as practical men, as calm and dispassionate men that the Statutory Commission is nothing but a beguiling of us and all this tall talk about the procedure, all this camouflage about honourable co-operation and collaboration on equal terms and this joint free conference which is a juggler's substitute for "round table conference", of which my friends on the opposite side are such perfect masters, can not delude us into acceptance of these disastrous proposals. It is not a question of our talking in this strain in a fit of temper. Men on this side have been moderates at one time, have been co-operators at another time. They have been associated in a variety

of ways with the Government. They have striven time and again to examine whether there is any virtue behind the pledges given either vaguely or concretely. I know perfectly well that the promise to have an Indian on the Railway Board still remains unimplemented. That is by the way. We have known what has happened to the unanimous Report of the Skeen Committee. We know all this by past experience and the experience of men like Sir Tej Bahadur Sapru who has been connected with Government in the past and whose intervention at this critical stage has been of great use to us in fortifying our conviction. Here is a sober and experienced man of affairs who comes and tells us that the point of view we take is the right point of view. Sir Tej Bahadur Sapru was a statesman when he was a member of the Government of India. He becomes a bankrupt statesman the moment he advocates the boycott of the Simon Commission. What does this mean? It means this: "When you are with us, you are very good people. You have all the gifts which you have and which you don't have, but when you are against us, you have no common sense, you are mere school boys and we have been sent here by God as schoolmasters to teach you." And to add insult to injury, we are to be lectured to in the Assembly as the Honourable the Home Member has attempted to lecture to us. We say ours is a case which can be stated offhand and we do not require prepared platitudes for the purpose of enforcing the national will. I submit, Sir, that the line that we take is the line which has carried us a great distance. The very unanimity of opinion in favour of the boycott of the Simon Commission shows that our procedure is far safer in the interests of the country than the procedure which we are asked by the Honourable Member on the opposite side to take. It is perfectly true that when speeches on this side are made, we are greeted with ironical laughter on the other side but I do not mind it in the least. I want it. When you know that truth is being told sternly, that is a way of masking your discomfiture and we can also adopt if we like similar tactics.

I have placed before the House four or five reasons categorically why we should boycott the Simon Commission and therefore the Honourable the Home Member need not quarrel with me as he quarrelled with Lala Lajpat Rai. I think Lala Lajpat Rai's speech was marked by sincerity and earnestness which should certainly have told on the benches opposite, but we have given up the idea of appealing to the opposite benches and I would not make any useless appeal of that description. Lala Lajpat Rai is acquainted with the history of the world. He is a widely travelled gentleman and he knows the constitutions of the various countries and he has worked for a long time for the welfare of the depressed classes and neither the Government nor those who interrupted him can claim to have done one-tenth of what Lala Lajpat Rai has done or Swami Sharadanand who dedicated the whole of his life to that work. Is not the Arya Samaj movement the one movement in Hinduism which specifically aims at the uplift of the depressed classes? If such is the state of things, how can it be stated that Indians have not been attending to that? I listened to the speech of the Honourable and gallant friend opposite who stated his case for co-operation in excellent style. He admitted that there were other men with longer experience and therefore I know that whatever his statement is he leaves and must leave the matter to the wider experience and knowledge of his other colleagues in this House. His own particular view no doubt is for co-operation but I do submit to him and to

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other Members who are of that way of thinking that the wide experience which we have had and the utter disillusionment which we have had must be authority for him also to support our case. I say this earnestly while appreciating the point of view which he has so modestly, if I may say so, put forward. I also agree with the Honourable Member who moved the amendment that the Muhammadan minorities and other minorities as well as majorities must be protected. The Indian National Congress is working for the protection of these minorities and if 150 years of British rule have not achieved it, you cannot achieve it in one short year without the resources which the Government have. You must wait and see whether before the end of this year a full constitution is not framed based upon a perfect understanding between the two peoples and to the utter satisfaction of Hindus and Muhammadans alike. Then it will be time enough for some of my Muhammadan friends who do not see eye to eye with Mr. Jinnah to say what they feel. Certainly Muhammadan minorities are not going to gain anything whatever by co-operating with the Simon Commission and the procedure of the Simon Commission.

Nawab Sir Zulfiqar Ali Khan: What have we gained by co-operating with you?

Mr. S. Srinivasa Iyengar: Everything. This co-operation between Hindus and Muhammadans led by my Honourable friend, Mr. Jinnah, and Maulvi Muhammad Yakub and others of their way of thinking has already led to peace in the country. The riots and disturbances which were not quelled by Government orders and action have been quelled by the Congress pact and action and the Congress resolution. That is an achievement of which we can justly be proud. I allow the other side to admire themselves and be proud of the achievement of 150 years of British rule in leaving the country in a welter of anarchy. What shall I say of a Government which has got to have Ordinances, whose spokesman says that he cannot appoint any Indians upon this Commission? Lord Birkenhead shudders to think of a Commission not comprising a representative of the depressed classes. His sympathy with the depressed classes is so profound that he feels bound to say these things. And Lord Winterton says this with his perfect knowledge of India: "I do not think that there ever has been in the history of Southern Ireland such bitterness between Catholics and Protestants as is to be found between Hindus and Muhammadans in many parts of Southern India". (Laughter.) Lord Winterton's knowledge of the geography of India and the conditions of India must be really very very profound. (Laughter.) Then we were told . . .

Mr. President: Will the Honourable Member remember now to conclude his observations?

Mr. S. Srinivasa Iyengar: I will in a very short time, if you will give me a few minutes, Sir. I want to state my Party's point of view; and as it has been complained that the reason why we boycott the Commission, the reason why we say this House should not co-operate with the Commission has not been stated in the very powerful speech of my Honourable friend, Lala Lajpat Rai, I want to state a point of view which undoubtedly in that speech in which he gave the substance of so many grievances he could not find time to add, and I want to supplement his observation . . .

Mr. President: The Honourable Member must remember that there are other speakers to follow; and I would like the Honourable Member to conclude his observations in two or three minutes more.

Mr. S. Srinivasa Iyengar: My submission, Sir, is that this House cannot accept the amendment of my Honourable friend Sir Zulfiqar Ali Khan or the position which the Government takes up. It can only vote for Lala Lajpat Rai's motion, and the reasons for the boycott, for the non-co-operation with the Statutory Commission I have endeavoured to state not only from my Party's point of view but from other points of view. I will only add one thing. In Lord Birkenhead's speech in the House of Lords it was stated that section 84A makes it imperative that the Commission should be a Parliamentary Commission, as he calls it. Now I have read his speech with care, and you will find, Sir, that all that the section says is that the "Secretary of State shall submit for the approval of Parliament the names of persons to act as a Commission for the purpose of this section". It is simply a Statutory Commission, there is no question of a Parliamentary Commission. And Indians are not excluded by the word "persons". I cannot understand why, when the Joint Parliamentary Committee itself is to sit again for the purpose of discussing these proposals, a preliminary Parliamentary Committee is necessary for the purpose of investigation. It is quite obvious that the desire was to exclude Indians and to prevent Indians from discussing the evidence which will be placed *in camera* before the Commission and to cast an undeserved slur upon India. But that is a point of view with which I am not so very much concerned as the point of view of self-determination and our refusal to submit to any inquiry into the fitness of the country for Swaraj. It is on those fundamental issues that I place my case. I also associate myself with the fact that the country must resent and rightly resent the insult, by voting for the motion which Lala Lajpat Rai has moved, the insult, the affront that has been cast upon this country by constituting the Commission in this way, and for the reasons which have been given I would ask all Parties in this House, except those who are afraid to vote whatever their conscience may tell them, I would request every part of the House on such a critical occasion as this to vote for Swaraj only, for full responsible government, because that is what it means. If you vote against this Commission, and if you vote for the Government you undoubtedly vote for your own downfall; you vote for your own shame and humiliation. Therefore, Sir, I once more implore every Member of the House to look into these things patriotically and to vote for the motion which Lala Lajpat Rai has moved in this House not to co-operate with this Commission at any stage and in any form.

Sir Darcy Lindsay (Bengal: European): Sir, I desire to support the amendment moved by my Honourable friend, Nawab Sir Zulfiqar Ali Khan. I wish I could be vouchsafed the gift of seeing into the inner mind of my friends who appear to be so opposed to this Commission. I have endeavoured to analyse the arguments originally put forward against the Commission or its composition, and it is of some interest to note that constructive suggestions have been in almost all cases absent. (*Mr. M. A. Jinnah*: "That is not true.") At a conference of leaders held at Bombay on 16th November my Honourable friend, Mr. Jamnadas Mehta, speaking, I presume, on behalf of the Congress, stated that the Congress was pledged to the principle of self-determination, and that nothing short of a Round Table Conference would satisfy the people

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of India. For this reason the Congress Party would boycott the Commission and because it contained no Indians and flagrantly violated the rights of the people of determining their own political constitution. He put forward no proposal regarding the constitution of a Round Table Conference. (*Mr. A. Rangaswami Iyengar*: "That was in 1924.") At a meeting of citizens held in Bombay on the 20th November it was resolved that:

"The citizens of Bombay emphatically declare that the Statutory Commission which has been announced is unacceptable to the people of India as it most flagrantly denies the right of the Indian people to participate on equal terms in framing the future constitution of the country."

Again there is no constructive proposal, and in the light of after-explanations it would appear that the resolution was framed on wrong premises. At the Congress meeting held in December the President stated that the quarrel was not with the personnel of the Commission but with the principle involved. He questions Great Britain's claim to be the sole judge of the measure and time of India's political advance. No constructive proposals were put forward but when Mr. Srinivasa Iyengar moved the boycott resolution, Mr. Vijayaraghavachariar asked what was meant by violation of self-determination. He was told it was because the Commission itself was to inquire into the fitness of India for a further advance. Mr. Vijayaraghavachariar suggested that the motion should make it clear what it was the Congress wanted—whether it was a majority of Indians or what number, but no reply was given. In Poona on 16th December, my Honourable friend Mr. Jayakar and his Party issued a statement to the Press regarding the constitution and programme of the Commission which they considered puts India and her representatives in the degrading position of witnesses supplicating for their progress and advance . . .

Mr. M. E. Jayakar (Bombay City: Non-Muhammadan Urban): May I correct the date given by the Honourable Member; it was the 16th of November.

Sir Darcy Lindsay: I thank the Honourable Member very much for the correction. (*Mr. M. A. Jinnah*: "That is not the only mistake.") . . . at the Bar of Committee of the British Parliament. Once again there is no constructive proposal as to the formation of a Commission to give to India what they consider to be her just right. The only constructive proposal I have seen is that in the manifesto issued by my Honourable friend, Mr. Jinnah, over numerous names of well-known persons in different parts of India which puts forward that the Commission should be composed of British and Indian statesman sitting on equal terms. I maintain, Sir, that the procedure outlined in Sir John Simon's letter meets the whole substance of Mr. Jinnah's demand (*Mr. M. A. Jinnah*: "Absolute nonsense."), and if those who signed that manifesto do not recognize this, it means that they are now pursuing the shadow and losing the solid reality. (Hear, hear.) I turn to the Resolution which was originally put down in Mr. Jayakar's name. When I read that Resolution I understood, and I am sure that every Member of this House understood that Mr. Jayakar and the large body of opinion which he represents would be satisfied if—and here I quote the terms of his Resolution:

"It is ascertained by an authoritative declaration from the Chairman of the said Commission or from some other equally authoritative source that the Committee to

be so appointed by this Legislature shall have in carrying on the work of this Commission an equal and authoritative voice in

- (1) reviewing and supplementing the material from time to time placed before the said Commission to be the basis of their decision,
- (2) collecting, martialling and testing by cross-examination or other methods the oral evidence placed before that body from time to time,
- (3) effectively shaping its decision at all important and formative stages."

Now, Sir, to everyone of those three points Sir John Simon in his letter has given an emphatic "yes." (Applause.) Not a single one of them remains unconceded. More than that, the Viceroy himself has clearly shown that the Joint Committee will have greater powers than Mr. Jayakar in his modesty thought of asking for. (Applause.) When the Commission has made its report and died like the swan that has sung its last song, the Joint Committee will still be going strong in London . . .

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Like Johnnie Walker?

Sir Darcy Lindsay: And perhaps with the assistance of Johnnie Walker and will be able "effectively to shape" something far more important than the Commission's report, namely, the ultimate measure which will be laid before Parliament itself. (Applause.) That is the vital "formative period" that is the time when the final form will be decided; and at that supreme hour when the Commission will have already been half forgotten, when, for instance, its report will have no more validity or sanctity for Parliament than the report of the Currency Commission of 1926 had for us last week when we were discussing the Reserve Bank Bill in 1928—at that hour the representatives of the Assembly are wanted to play at Westminster their proper part, which should be a decisive part. Are they going to fail India, to fail in their duty? (*An Honourable Member*: "No.") I feel that refusal would be an irreparable disaster. How then can Mr. Jayakar who has, as I have shown, got more than he ever asked for, how can he find it in his heart or conscience to turn round upon his professions, or without even going to bed to think over such a momentous decision, put his name to a refusal of what he asked for, in the same hour as it is offered him? I am aware that an entirely new point has since been raised. Exception has been taken in some quarters to the reservation in regard to the possible examination of some witnesses other than before the full sitting of the Joint Conference and it is contended that this is against the principles of equal rights, but it must not be overlooked that what is sauce for the goose is sauce for the gander and the Indian section of the Joint Conference has equal powers to hold secret meetings. (*An Honourable Member*: "We do not want it.") I know you do not want it. I cannot bring myself to believe that this is a real stumbling block to the acceptance of Sir John Simon's offer, but if it is so, why not ask that the witness be examined *in camera* before the Joint Conference. (*An Honourable Member*: "We ask for nothing.") I know you do; that is just the trouble. (Laughter and Applause.) If this would remedy the position, I suggest to Mr. Jayakar that an amendment be moved embodying this proposal.

With all this destructive criticism the question naturally arises as to what is really behind the boycott movement. Is it really due to a genuine and honest feeling that by non-appointment of Indians to investigate on an equal footing the needs of India in the matter of a big advance towards

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self-government an insult has been offered to the people? (*An Honourable Member*: "Yes.") Or is it not rather that for various reasons it is felt that India is not at present prepared for an investigation of possible means of advancement and in seeking the aid of leaders of public thought the field is somewhat barren owing to absence of understanding and adhesion among the communities towards a constructive policy likely to be accepted by the country as a whole? (Hear, hear.) I suggest that by beating the big drum in protest at imaginary insult it is hoped to camouflage the true position. I say advisedly "imaginary insult", for in the light of subsequent statements and explanations I should hope that the insult bogey has been exploded. I believe my lawyer friends will agree with me that where no insult is intended the charge falls to the ground. The unanimous approval of all political parties at home is proof positive that in the decision to appoint a Parliamentary Commission comprising as it does members from the three political parties no slight to India was in anyone's mind. This general approval is a most striking feature and the Labour Party in particular, through their leader Mr. Ramsay Macdonald, Mr. Lansbury, Mr. Johnston, Mr. Ben Spoor and others, who are in close touch with Indian affairs, have offered very earnest advice to accept the Commission and assist in the inquiry it is undertaking. I understood my Honourable friend Lala Lajpat Rai to say before he went off the rails that he had no faith in the members of the Commission and no faith in the Government that appointed them. He doubted their *bona fides*.

Lala Lajpat Rai: I said their competency.

Sir Darcy Lindsay: That may be his opinion, but does he set himself up against the considered opinion of all parties of the British Parliament?

Lala Lajpat Rai: I do not care a pin for it.

Sir Darcy Lindsay: Let me here quote Lord Olivier, who was the Secretary of State for India in the Labour Government.

Lala Lajpat Rai: And who sanctioned the Bengal Ordinance Bill?

Sir Darcy Lindsay: He gives two reasons for the appointment of the Commission:

"First of all there is the desire of all Indian politicians that the question should be reconsidered at an early date and the principle of that desire has been pressed upon us repeatedly."

Then he goes on to say:

"Unquestionably had the Government of which I was a member been still in office after the Committee had reported we should probably have taken precisely the same line as His Majesty's Government are now taking and suggested the appointment of the Statutory Commission to reconsider the whole question of Indian government. On those grounds we cordially support the motion.

There might be, there has been expressed some cavil against the action of His Majesty's Government on which I might call the ground that they might be regarded as manœuvring for position, that being in power they desire to appoint their own Commission. I pay not the slightest attention to any suggestion of that sort and I think it unfortunate that such a suggestion should have been made. I take the view that whatever Government were in power it was in the public interest and in the interest of India to appoint the Statutory Commission, and it is absurd to suggest that His Majesty's Government really gain any special advantage for such views as their Party may hold by appointing the Commission at the present time."

At the moment the position appears to me as one of stale mate with no gain to India and her many voiceless millions, it is hoped, the inquiry will benefit. On the one hand, we have the Commission only too anxious and ready to meet genuine objections as is evidenced by the statement of Sir John Simon issued after his arrival. Yet nothing they may say or do appears to be acceptable to the Congress leaders, who, unable or unwilling to come into the open with constructive proposals, maintain an uncompromising position and elect to treat the Commission as untouchables. To Sir John Simon I take off my hat in admiration of his honesty and earnest desire to give India a fair deal, for instead of bargaining as he might well have done he adopted the straightforward course of placing his cards on the table and in the powers given to the legislative Committees it is proposed to set up, I venture to think he has gone very far to remove the charge put forward in some quarters that India was being debarred the right to examine and determine her future constitution. With undue haste, as I said before, and before the members of the parties could possibly have had time to carefully consider and digest the statement issued by Sir John Simon at 5 P.M. on the 6th instant, the Indian party leaders and other members met the same evening and issued the following statement at about 11 P.M.:

"We have most carefully considered the line of procedure indicated in the statement of Sir John Simon issued to-day, but our objections to the Commission as constituted and the scheme as announced are based on principles which remain unaffected by it. In the circumstances, we must adhere to our decision that we cannot have anything to do with the Commission at any stage or in any form."

An Honourable Member: Do you understand what it means?

Sir Darcy Lindsay: I challenge the correctness of the statement that the line of procedure had been most carefully considered, and the only conclusion to be drawn from what may well be termed the indecent haste in dealing with a document of immense importance to the people of India, is the possible fear of the Congress Party that without a safe lead the Press of India might approve of and favourably comment on the procedure the statement laid down. (Applause from the European Benches.)

You will note, Sir, that again there is no constructive proposal, but only the bare statement that "the objection to the Commission as constituted and the scheme as announced are based on principles which remain unaffected by it." From this it would appear evident that only a miracle can soften the heart of the Congress dictators to call off the boycott. Why not come out in the open with the straightforward statement that in the opinion of some of the leaders of political thought the Commission is not wanted as the country is not yet ready for the inquiry? (Applause from the European Benches.)

Honourable Members of the Congress Party: The country resents the inquiry.

Sir Darcy Lindsay: The inquiry has got to be made

Honourable Members of the Congress Party: Why?

Sir Darcy Lindsay: According to the procedure laid down in the reformed constitution that was granted to India in 1919, the inquiry has got to be conducted.

Honourable Members of the Congress Party: We do not accept it.

Mr. S. Srinivasa Iyengar: We want an inquiry into the fitness of the British people to rule India.

Sir Darcy Lindsay: I say advisedly, some of the leaders, as there are others who welcome the inquiry and do not hold this view. I am willing to admit that the boycott agitation is very spectacular and in that respect a valuable advertising medium, but it cannot be effective unless general and the Commission when it returns next October will pursue its inquiry both effectively and earnestly with, I hope, resulting good to India, for it is certain that there are many voices, and important voices at that, who desire to be heard in spite of the boycott.

In my humble opinion, Sir, political India instead of splitting straws over the composition and the powers of the Committees would be on sounder ground in claiming a full and equal share in the deliberations of the Joint Committee which is to be appointed later on to deal with the report of the Commission. It is recognised that what we now have with us is a commission of inquiry to report to Parliament and the framing of any new constitution will be the duty entrusted to the Joint Committee. So far as I am aware, it is not within the powers of the Commission to lay down the procedure to be followed later on, say two years hence, but the present may not be an inopportune time for India to represent that she be accorded as her just right a full share in the work of the Joint Committee in shaping her destiny, and the Committee when constituted might well take the form of a Round Table Conference so dear to the heart of our Congress friends.

Mr. M. A. Jinnah: Without a square deal!

Mr. President: Order, order: I would ask the Honourable Member now to conclude his observations.

An Honourable Member of the Congress Party: Read the peroration.

Sir Darcy Lindsay: Sir, I wish I could be of any real help to India at a time like the present when she is so urgently in need of
3 P.M. aid to save her from the evil effect, as it appears to me, of this stone-wall policy of boycott. I greatly fear the consequences, and make an earnest appeal to all Members who are not definitely opposed to the principles of a commission of inquiry at the present time to rise above considerations of procedure and status, and extend the hand of fellowship to Sir John Simon and the other members of the Commission who seek our aid in the heavy task before them. You will not find them unresponsive if I know anything at all of the characteristic of the Britisher.

One word more, Sir, and I have done. I say: *Viva* a united India with a full recognition of her legitimate demands for responsible government.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): Sir, I rise to oppose the Resolution moved by my esteemed friend Lala Lajpat Rai and I support the amendment so ably moved by Sir Zulfiqar Ali Khan. Sir John Simon has issued his statement through the medium of an open letter to His Excellency the Viceroy. That

statement, if examined with honesty of purpose and candour concedes all that the Indian politicians have so far asked for. The Indian politicians demanded a round table conference and Sir John Simon has given it to them in the shape of a free joint conference. The Indian politicians asked for an equality of status and Sir John Simon has given them that equality of status.

Lala Lajpat Rai: Has he the power to give it?

Mian Mohammad Shah Nawaz: Sir, the plan suggested by Sir John Simon will work in this way. The Indian Committees sitting side by side with the Royal Commission will have the right to scrutinize and elucidate the evidence and cross-examine the witnesses. The Indian Committees will have the right to draw up a separate report for presentation to the legislative bodies that appoint them or, if they so desire, they could send it up to England to the Joint Committee of both Houses of Parliament for consideration along with the report of the Royal Commission. When provincial matters are being discussed, the Commission will sit as a conference with the representatives of the Provincial Councils and the members of the Joint Committee of the Central Legislature will be permitted to be present as an additional element sitting at the provincial sittings. The members of the Joint Committee of the Central Legislature, as pointed out by Sir John Simon, will not be mere spectators at the provincial sittings but will be allowed to cross-examine the witnesses at the discretion of the Chairman. In short, the scheme of Sir John Simon assures the most complete representation of all Indian interests at every stage of the inquiry. (Hear, hear.) In point of fact, the Indian members will take fuller and more adequate part in the work of inquiry than would have been the case if two or three Indians had been appointed on the Royal Commission who must have been in a minority to the main body of the Commission. But Sir John Simon has agreed to the selection of seven representatives from the Central Legislature in addition to the members that may be selected by the Provincial Councils.

Sir, it is a great pity that the Indian leaders representing the group of the boycotters have not given careful consideration to Sir John Simon's carefully drafted statement. They have rejected it before the ink had dried on Sir John Simon's letter. With the hit in their teeth they could not do otherwise. It is impossible to argue with those persons who repudiate the right of the British Parliament to determine India's constitution. They are absolutely and deliberately blind to the hard facts and all relation between Great Britain and India. Sir, it is not possible to argue with these persons, because they refuse to consider the position both constitutionally and legally. My friend Mr. Srinivasa Iyengar says: "Oh, we are entitled to self-determination. We can frame our own constitution and Great Britain has no voice in it." Easier said than done. Are you going to drive the English out with your pens, ink and blotting paper? Sir, this talk is simply meant to make a fool of the House. The Britishers are going to remain in India whether we will or not. Sir, both the Indians and the Britishers have stakes in India and both of them are equally striving for the material and moral uplift of the people of this country. Both of them want to see India happy, prosperous and peaceful and contented in the interests of international peace and in their own interests. You may pass a resolution.

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of complete independence and self-determination. But the Britishers are going to have their say in the matter of framing a constitution for India and safeguarding their own interests. My Honourable and gallant friend, Lala Lajpat Rai, the Leader of the National Party, challenges the *bona fides* of the British. How are you going to do that I should like to know. They are going to rule over us. The Muhammadans of India have this opportunity now or never. Their interests have been disregarded since the advent of the British rule. I say this again that we want Swaraj, no doubt within the British Empire. I make it clear to all who may care to listen that we want Swaraj with the proviso that the interests and rights of minorities and that of the Muhammadan community in particular are prominently safeguarded and clearly defined. It is no use telling us that you are all for Muhammadans. I know perfectly well that you are not.

Well, Sir, then he goes on to say, "Oh, well, these people are responsible for anarchy". Good gracious, I never heard this in my life. The British have brought peace and prosperity to this country and yet you say they are responsible for anarchy. Law and order is being maintained in spite of the fact that there are riots and murders due to disgraceful communal tension and turmoil.

An Honourable Member: What about the famines?

Mian Mohammad Shah Nawaz: I should like to see Lala Lajpat Rai to be the Governor of the Punjab for four months.

An Honourable Member: You may yet live to see it.

Mian Mohammad Shah Nawaz: Supposing the British were to say to the Lala and his noble colleagues "We will withdraw from this country, give us what we have spent. We have spent millions, give us back that money and we will leave you to manage your own affairs." Can you manage? (*An Honourable Member:* "Yes".) (*Another Honourable Member:* "They took those millions from us.") Easier said than done. You know perfectly well that you cannot manage, and will never be able to manage with your present mentality of everything for the caste-ridden Hindus at the expense of Mussalmans and untouchables. And yet you challenge the British Commission which the British Parliament has sent us. What will you gain by it? You will gain nothing whatever. You will lose to the extent of creating an unfavourable impression in the Empire. I say that it is really for India to co-operate with the Commission. The Honourable Lala says "We will have nothing to do with the Commission. We are entitled to self-determination, and these people must go." I do not agree with him. He does not realise the situation. He relies on his own strength. I find he is very feeble, and he cannot do it, so it is no good crying. You know perfectly well that you cannot do it, and that the Commission is far better for Indians. You cannot say where the procedure is wrong and you can find no alternative. Is this the way of treating responsible statesmen sent by the British Parliament? You treat its actions with contempt. Why do you say, "We will have nothing to do with the British". Then bring out your swords. The position is this. The British will not leave us, even if they would, they could not, and even if they could, they would not. We must live with them side by side. Whether you are willing or unwilling we must co-operate with them in the interests of the

country, and we must co-operate with the Commission. We must put the Muhammadan case before the Commission. We are for a separate representation on the Legislatures through separate electorates, and we must have an effective share in the services of the country, in the loaves and fishes of office. In this connection I must say, the Government is very largely to blame. I will not spare the Government because I say, so far as Government are concerned, they are to blame. They have not guarded the interests of Muhammadans.

Mr. President: The Honourable Member will now conclude his remarks.

Mian Mohammad Shah Nawaz: With these remarks I support the amendment moved by Sir Zulfiqar Ali Khan.

Mr. M. E. Jayakar: Sir, I have listened with very great care and attention to the speeches made by the Honourable the Home Member, and my Honourable friend, Sir Darcy Lindsay. The positions they occupy, one on the Government Benches, and the other in the non-official European group, entitle them to a careful consideration of the arguments which they advance. I accept the invitation of the Honourable the Home Member to lay aside, in this debate, all appeals to passion, all resort to recrimination. I hope however that his side also will play up. I likewise accept his invitation to examine his proposal in the cold light of reason and argument. In the short time at my disposal, Sir, I shall examine the narrow question whether, having regard to the terms—I put the question very much in his very words—whether having regard to the statements which have proceeded from Sir John Simon, and the esteem which they are entitled to command in this country, and having further regard to the speeches made in the Parliament by responsible British statesmen, to whom reference was made in the course of the debate to-day, and likewise having regard to the statement made by the Viceroy before this House, the Government have offered to India terms of co-operation which can be said to be so honourable, that on them the people of this country can co-operate with this Commission without loss of self-respect.

I propose to examine the question on this very narrow footing, not because I do not agree with the larger questions which my Honourable friend to my right, Lala Lajpat Rai, raised. Those who criticised his arguments, like the Honourable the Home Member, forgot that my Honourable friend Lala Lajpat Rai has 35 years of public life behind him. It is therefore his privilege, which few can enjoy, to examine these questions from the broad view-point of self-respect and patriotism. While I respect the point of view which Lala Lajpat Rai has put before this House, and also the point of view which my Congress friends have adopted in this matter, I have myself taken up a certain attitude as the responsible head of a small group of politicians in India, who put certain constructive proposals before the country, taking entire odium on their broad backs for doing so. One has to be an Indian publicist, Sir, to understand what such odium means at such a crisis. Can I re-call to the mind of my Honourable friend, Sir Darcy Lindsay, the time not long ago, in 1919 when the European population in India was asked to publicly denounce General Dyer and the massacre at Jalianwalla Bagh. How many had the courage to come forward and boldly speak out their mind? I do not wish to recall that past chapter, except for the purpose of conveying to the mind of Sir Darcy Lindsay a correct measure of what the odium of one's countrymen can mean to a publicist.

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when a crisis is reached. We, however, took that risk. I have been looking forward, Sir, to this day, for several weeks, as a day of deliverance for my small group of political friends,—the day on which I could rise from my humble place in this House and vindicate our position which has been assailed in turn by Indians and Europeans. I am glad, Sir, that that day has come at last. My Honourable friend, Sir Darcy Lindsay says "Oh, you never made any constructive proposals." Good gracious! Long before your Parliament met on the 25th November, a small body of Maharashtrian politicians among whom I rank myself, met in Poona on the 16th November. When this bungling Government had set the whole of this country aflame with their folly, when throughout the country from one end to the other there were reverberations of recrimination and resentment, a few of us kept our heads cool, and foreshadowed a possible avenue of exploration of a remedy. Who were the mouthpiece of this volume of resentment? I want Government to examine the names of those who were denouncing them. Men like Sir Tej Bahadur Sapru, a name always to be mentioned with esteem and respect on both sides of this House; men like Sir Chimanlal Setalvad, a responsible statesman always keeping his finger on the pulse of the people, men like my esteemed friend on my left Mr. Jinnah, who kept aloof from the non-co-operation movement at one time. These are not men blinded by the rage of their opposition to Government, but men who had lent their support to Government on critical occasions. These men were angry; these men made speeches, always taking care to leave a door open for this Government. While these publicists were angry, I and my Responsivist friends, younger men in public life; took the odium of making constructive proposals as early as the 16th November. Those proposals were before the country for three months; one leader after another, compelled by the advancing tide of popular resentment, was stiffening. Speeches after speeches were made by men who knew the responsibility of their utterances—not foolish men, but men grown wise with the responsibility of office behind them. To draw out this Government, we gave interviews and issued statements to the Press. But what did this Government do? They sat dumb and mute, relying on a petty constitutional propriety,—that according to the proper procedure of Parliamentary Commission Sir John Simon must come to this country and then speak out, as if in these days the wire and wireless do not exist. While the country's self-respect and honour was being trampled under foot, day after day, and one province after another was coming under the conflagration, this petty Government sat relying upon strict form and procedure. They said "You must wait", as if the honour and self-respect of a country can wait to be satisfied until the domestic proprieties of the offending Government are obeyed. In the meanwhile we waited and waited. Tired of waiting I gave a few days ago an interview in my humble way, knowing that it would draw the anger of many of my countrymen on me. It was a gesture made in order that Government might come out into the open from behind their fences, as I clearly said in my interview. I deliberately risked my place in public life because I intended to relieve what, in the expressive phraseology of my friend, Sir Darcy Lindsay, was a stale mate. On all such critical occasions, some one has to take the odium of relieving the situation, and I took the risk, which nearly swept me off my feet. What followed, Sir, on the side of Government? Nothing! A cold and unconvincing speech from the head of the administration, comment on whose personal action is generally not made in

this House—I respect the propriety of that convention and will not utter a word. Again I waited with patience! The Messiah was coming with his message of hope and deliverance! We waited in breathless expectation. Public opinion was stiffening in the meanwhile; one leader after another was going across the border. I spoke to friends who I thought had the ear of Government. There was no response. We waited until the Messiah came and his message of deliverance was uttered. It proved a veritable gospel of delusion. I am told, Sir, we did not spend even ten minutes on the examination of the words of that message of hope. Those who say that do us injustice. We carefully studied that utterance with the attention due to its distinguished authorship. Let me tell Sir John Simon from the floor of this House that on this side there are equally clever men, who can see with a dog's sense, through truth and its apparitions; whether anything *bona fide*, anything real is intended, or is it merely a tangle of words. I have no hesitation, Sir, with all the esteem I feel for the distinguished author of the statement, in saying that it is a complete travesty—I know I am using a strong word—that it is a complete mockery of the equality that I, and men of my view of thinking, had asked for. What did we want? You will allow me, Sir, to quote one small passage from the manifesto which we sent out in November last. It has become the fashion to say that the Responsivists are weaker men; nothing of the kind. They are men of small promises but sure performances. In the very manifesto to which reference was made by Sir Darcy Lindsay this is what we said and I want my Honourable friends on both sides of the House to listen to it with care. This is what we said:

“India desires that her accredited representatives should occupy in the proposed investigation the position of being the judges and architects of her future destiny, with equal status and with co-ordinate powers with the representatives of the British people. India's claim as stated above was the minimum that would satisfy present requirements and unless the same was secured it would not be possible for the honour and self-respect of India to co-operate or assist in the work of this proposed Commission.”

I ask Sir Darcy Lindsay to judge Sir John's statements by this test, and say whether they, either the first or the second, give us this equality? I do not think he will have the least hesitation, with his acumen, to say that they do not. Sir, in this matter insult has been added to injury, by reliance being placed on the terms of the Government of India Act to justify the step His Majesty's Government have taken. I have not the time to go into greater detail; I will only say that reference is made to the Preamble of that Act by those who say “Oh, but in excluding Indians from this Commission we were proceeding under the Government of India Act. That Act does not give Indians the privilege of being on the Commission.” Reliance is placed on a clause which I shall read out:

“Whereas the time and manner of each advance can be determined only by Parliament upon whom responsibility lies for the welfare and advancement of the Indian people.”

I have heard, Sir, in very high places the argument advanced that under this clause of the Preamble, a purely Parliamentary Commission is necessary and all that Indians can do would be to help and supplement the labours of that Commission. Those who argue like that forget that in the very next clause—assuming that this Preamble is our charter, which I do not

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accept with my Congress friends. Indian co-operation is sought in the following terms:

"And whereas the action of Parliament in these matters must be guided by the co-operation received from Indians."

I grant for the sake of argument, Sir, that as provided here it is the British Parliament which has the ultimate right; but the same Preamble further provides that in discharging this duty Parliament must be *guided* by Indian co-operation. Mark the words, Sir, "must be guided by the co-operation of the Indian people". That is in the very Statute which we are told is the repository of all our ultimate obligations in this matter. By co-operation, I take it, Sir, is meant honourable co-operation of self-respecting people—unless the words mean the co-operation of slaves, for this also is a species of co-operation. I do not think however that an august body like the British Parliament could have meant in this clause the co-operation of slaves. By co-operation they must have meant and intended to do the people of England justice, the co-operation of honourable men on honourable terms. That to my mind is perfectly clear. If one wants, one may turn to any portion of the Government of India Act and find the same purpose in it. The Government are very fond of referring to section 84A of the Government of India Act. I am often told, and the Indian Liberals were likewise told—not that I, like the Liberals, claim to be contented with a few Indians as members of the Commission,—I will not be content with that, but demand equal status and powers for an equal number of Indians; but when the Liberals asked for this membership, they were told: "Oh, the Government of India Act does not empower us to appoint Indian members of the Commission". I challenge the Government Benches to prove it. If Sir John Simon will agree to a few leading Indian politicians on our side sitting across a round table with him and the Viceroy with the view of discovering in a spirit of goodwill and understanding how, by what means and in what manner this equality of status, functions, and powers can be secured, we may be induced to agree. People are too resentful to be easily persuaded to accept such a proposal, but if such a conference is proposed with a genuine desire to find a solution, they will perhaps have no objection. This will enable him to find out what India wants and if it turns out that he has not the power to give us such equal status and powers as I am often told, it will not be difficult for him to go back to Parliament, which is the ultimate repository of all powers in this behalf, and obtain the necessary authority for the Indian Committee of seven! We are often told: "Oh, you have adopted an absolutely impossible attitude". Sir, here and now I make this proposal, not on the authority of my friends, but on my own. I say, let bygones be bygones. Is Sir John Simon prepared even now to meet us on equal terms, to sit across a round table and discuss this matter freely with the leading men, not in the tone of his letters, especially the second one, but as a person genuinely anxious to come out of the difficulty which has been created by his Government and discuss the matter with a view to really find out a solution? Will he give up taking shelter under constitutional proprieties or Parliamentary regulations, and as a genuine Englishman willing to assist his country and ours sit across a round table and discuss matters? And then if he finds that he has not the power to give us what we want, will

he obtain for us from the proper quarters the necessary status and powers? I know, Sir, what I want. I do not know the elasticity of his terms of reference. Being a member of a conquered race, I have no experience of Parliaments and do not understand the complexities of a Parliamentary Commission which I have not studied, not being born in a self-governing country. Will he accept the position that after knowing what we want, if he has not the power, to give it to us, he will go back and get that power from the Parliament or the King, wherever it may reside. I do not know, where it resides—I am not an Englishman—he knows it best and he must get us the equality for which we stand. What is the good of saying that his statement gives us all that we want? Either my Honourable friend Sir Darcy Lindsay does not understand the position, because he is not a politician, or he does not want to let us know what is wrong with the statement. I know he is an honest gentleman, and therefore I will take the former view and say that he does not understand these things, if I may say so with great respect. He talks of equality, Sir. Where is the equality? When Sir John Simon says in the very second page of his letter “we shall examine *in camera* certain evidence which we think requires secrecy, I will be the sole judge of what and how much I should tell you”. I am not parodying his statement; I have too great a respect for that eminent lawyer. I am only describing in my own words how ridiculous the supposed equality is. He says: “I will tell my Indian colleagues with due regard to the purpose for which that particular evidence is taken *in camera*”—do not forget those words, my Honourable friends opposite,—“consistently with the purpose for which that evidence is taken *in camera*. I shall tell you what I think is best for you to know”. This is a paraphrase of his statement in plain English. In other words he says “I shall tell you as much of it as I think you ought to know and you must be content to trust me”. Throughout, it is a question of confidence unilateral, not bilateral.

Then, going further to the Report stage, he says most curious things. I am not here to examine in detail the deficiencies of his statement. I would do that if Sir John Simon accepted the proposal which I was making a few minutes ago. I would then sit down and tell him word by word where real equality has been denied to us, the equality which I and my friends sought. But at the present moment it is not my purpose to go into the details of his statement. I am therefore only taking two or three instances to illustrate my meaning. Coming to the report stage, my friend Sir Darcy Lindsay said: “Mr. Jayakar’s manifesto says Indians must have an equal and authoritative voice in effectively shaping the decisions at all important and formative stages”. What has Sir Darcy Lindsay to say about Sir John Simon’s ideas in this matter? I will read only two sentences from his statement.

He says:

“The British Commissioners, therefore, are bound to be solely responsible for the statement of the effect upon the authority by which we have been constituted.”

He goes on:

“The Indian Commissioners will be allowed to *append* their report. It will be *published* simultaneously”

i.e., it won’t be *delayed in publication* by a week or two, it will be *appended* as an annexure and it will go as a *record* of the opinions of Indians. A

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great concession indeed. Not one word is there in this statement of the necessity of joint deliberation as equals to arrive at a unanimous report, or the possibility of such a united report. There is to be no effort even to arrive at a united report: no effort at effectively shaping the final decisions, within the terminology of my manifesto. I see the Honourable the Law Member gently shakes his head in disapproval. I would ask him to read this statement again and again with the keen wits which he used to bestow on his briefs before he became the Law Member,—he may have lost them in his present office, but certainly he had them at one time when he was practising at the Bar. If he will recall those powers and with their aid carefully examine this statement, he will agree with me and not shake his head. I say that this report making stage is a complete travesty of what I wanted. Therefore, Sir, when I read this statement—I have some brains, and a little intelligence—I came to the conclusion, which is a very sad one indeed, and which I feel it my duty to state frankly before this House, notwithstanding the esteem which I have for the author of the statement, that he has very cleverly picked out the phrases of our statements and used them as a cloak to dress up a void or a semblance. The substance is absolutely wanting. I have not the time to go into other details now, but if an opportunity were to arise, I would sit down with Sir John Simon and prove to him, word by word, line by line, that his statement is a semblance and not a reality.

Sir, our offer is still open. Excepting our Congress friends whose is a clear point of view which we all respect and understand though not for the moment adopt, we have all said the Commission is unacceptable as at present constituted and as its scheme is announced at present. Even my Honourable friend to my left who has led the opposition to the Commission, and Sir Tej Bahadur Sapru, Sir Chimanlal Setalvad and all others who have gathered under their banner, have carefully said: "the present constitution and the present scheme of the Commission are unacceptable." Sir, the door is left open now. But the Government must not imagine that the door will remain open for long. When a country's passions are aroused, moderation has to stand aside. What is possible to-day is not possible to-morrow. There are just a few men like me and my colleagues who are prepared to court unpopularity and remain firm on their pedestal; but while this supine Government looks on and possibly laughs, we will be swept aside by the current of public resentment. Government will then say: "Oh, you were not courageous enough!" *The Times of India* in its report of the Assembly proceedings wrote about me: "Mr. Jayakar's political sagacity outran his political courage." If I may state the truth in the inimitable phraseology of that leading paper of Asia, I will say, Sir, "Mr. Jayakar's patriotism outran his political sagacity." That is the truth and it will ever be so.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, the issue before us to-day is a very clear-cut issue, and that is whether this Commission as announced, including its constitution and the scheme adumbrated by the Secretary of State for India, is acceptable. Sir, the first question that we have to consider is what is the difference between us and those who have appointed this Commission. Examining the announcement with the utmost care, let us consider what is the real difference. The difference is fundamental. It is not a question of details

at all. Now, either the Government refuse to understand us or, I would say without any disrespect, that if you do not understand us, then you are devoid of ordinary intelligence. Consider the position. The Secretary of State for India has said that he took three years, a full three years, to consider the matter before he decided to appoint this Commission. You know perfectly well that in this country there are several groups of political schools of thought. Do you want to satisfy the revolutionaries who believe in the bomb and the pistol? Do you wish to satisfy the Congress Party? Do you wish to satisfy the party of nationalists who stand for the constitution? Or do you want to satisfy only the party of petitioners amongst whom I will regretfully put my friend Lieutenant Muhammad Nawaz Khan, for whom I have a very great personal respect. He made a frank speech, an honest speech. He belongs, as he perfectly honestly admitted, to the school which says to the Government: "Whatever you do is right. Let me have something please whatever you may ultimately decide. But I am your man. I can do nothing else." (*Several Honourable Members*: "No, no.") What is the good of your speaking? I ask the Honourable Member himself. Did he not say that?

Sardar Muhammad Nawaz Khan: No, I did not, Sir.

Mr. M. A. Jinnah: What did he say? He said, I will give his own words, and it is for the House to decide, he said that you cannot drive the British out.

Sardar Muhammad Nawaz Khan: By talk.

Mr. M. A. Jinnah: Quite right. I agree we are not able to; and therefore we ought really to get whatever we can out of them and it is no use resisting or defying them. In other words, he says, "make the best of it". Well, Sir, that is one school to which my Honourable friend the gallant Lieutenant belongs. There is then the other school represented by Sir Zulfikar Ali Khan and closely allied who think that this is the occasion when the Mussalmans are going to reap a wonderful harvest. To them I say: Have you not learnt from your experience of the last 150 years that you have been fooled? (*An Honourable Member*: "Are you not fooled?") I refuse to be fooled. (*An Honourable Member*: "By whom?") By anybody. I say, Sir, is the Government content to satisfy those petitioners only? If they are, then they are welcome to carry on with their co-operation as long as they can. But I venture to say that there are other parties in the country. Sir, Sir Darcy Lindsay has given us, at any rate, in Bombay the credit for having issued a manifesto over the signatures of the Leaders of all India with constructive proposals. I will read that manifesto to the House and then I will proceed further and deal with this matter. This is the manifesto:

"We have given most anxious consideration to the announcement made in the Houses of Parliament and the statement made by His Excellency the Viceroy and the appeal of the Premier regarding the constitution and programme of the Statutory Commission. We have come to the deliberate conclusion that the exclusion of Indians from the Commission is fundamentally wrong and that the proposals for Committees of the Legislature being allowed to submit their views to the Commission and the latter to confer with the Joint Parliamentary Committee are wholly inadequate to meet the requirements of the case. The underlying principle of the scheme that Indians are to have no authoritative voice either in the collection of proper materials and evidence or in taking of decisions by way of recommendations of the Commission to Parliament, is of such a character that India cannot with any self-respect acquiesce in it. Unless a Commission on which British and Indian statesmen are invited to sit on equal terms is set up, we cannot conscientiously take any part or share in the work of the Commission as at present constituted."

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Now, Sir, I can of course forgive Sir Darcy Lindsay not knowing the difference or understanding the distinction between the procedure and the principle. But I ask the Treasury Benches with the legal assistance at their command, do they not see or understand a simple proposition that the principle is a different thing from the procedure? The principle for which we are fighting is that we want for the Indian representatives equal status and equal power. That is what we are fighting for. And I ask, is there any man in this House of the meanest intelligence who can say that that is given to India under the present scheme? What is the good of telling me that Sir John Simon has written a letter to His Excellency the Viceroy laying down the line of procedure? That has nothing to do with the issue. Have Sir John Simon and the members of the Commission the power to give the Indian representatives the same status and power, when they themselves have received their status and power on the Resolution adopted by Parliament submitting the names of the Commission for the approval of His Majesty the King Emperor? Sir John Simon himself says that he is independent both of the British Government and the Indian Government. He has received his appointment from the King Emperor. How then can he give what he has received from another authority? And that is the question and the principle upon which we have taken our stand, namely, that we want an equal status and equal power given to the representatives of India for the purpose of participating in the framing of the new constitution of the Government of India. What is the good of running away from the issue? Nobody disputes that we are asking for this status and power and equality for the purpose of inquiring and investigating into working of the Government of India Act, 1919. And, further, nobody disputes that ultimately the sovereign Legislature which will finally legislate and enact the constitution for the Government of India is the British Parliament. We are told that because the final, ultimate, sovereign Legislature is Parliament and they will legislate and enact the constitution for the Government of India, therefore, even in the inquiry stage, the investigation stage, we are to appear merely as witnesses and subordinate or auxiliary Committees. Well, that is the device substituted for excluding Indians from the personnel of the Commission. You say, "a Parliamentary Commission shall be appointed; no Indian." Why? Because these are the men—I will not go into the details—who alone are said to be qualified to report and recommend to the Parliament; nobody else. And then, having excluded Indians, you say, "We will give you this device of Committees", for whom Sir John Simon and the Commission have graciously laid down the line of procedure. My friend, Sir Darcy Lindsay, talked without really realizing, again, if I may say so—I will quote the words of Lord Birkenhead if he wants—as to what this Committee will do when it goes to England. Sir Darcy Lindsay said that the Commission will be dead long ago but after that the delegation will go to England. What delegation? (*Sir Darcy Lindsay*: "The Committee of the Legislature.") Quite so,—this Committee of the Indian Legislature. It will go and do what? It will be confronted with the Joint Parliamentary Committee, and what will they do? Lord Birkenhead says:

"When once the Commission has made its report, it is finished. But its critics main; and its critics are most formally and especially invited to come and sit with the Joint Committee of Parliament and to develop any criticisms or objections that they set to the report which the Commission has made."

“Develop any criticisms or objections.” (Laughter.) I only wanted to point out with regard to the arguments of Sir Darcy Lindsay that he thought that a great boon was conferred. And mind you, in the same breath, as I can point out to Sir Darcy Lindsay, it is stated that “they may similarly allow any other body to appear before them”. “Similarly”,—with a view to developing criticisms and objections! How is your delegation of the Central Legislature then in a better position than a Committee of the Anglo-Indian Association or, for the matter of that (I mean no disrespect), of the Muslim League who may be received. Therefore, where is the great boon that is conferred upon this delegation of yours? It is a camouflage on the face of it. It is no use really arguing,—I do not want to waste time. Therefore, I say (*Mr. R. K. Shanmukhan Chetty*: “You will get travelling allowances”), I repeat again that the difference is a fundamental one. I never expected Sir John Simon to do anything more than what he has already done. He has, I concede, shown the utmost courtesy, and he has tried to make our position, which is absolutely subordinate and subsidiary, as pleasant by means of courtesy as he could possibly do in laying down the line of procedure,—barring of course the point with regard to the evidence *in camera*. Again, another point is that not only the evidence is to be taken *in camera* by the Commission when the Indian Committees would be asked politely to leave, but he has elucidated one more point, namely, that the Committee of the Central Legislature, when the Commission go out to the provinces, will not constitute the Indian wing but the real Indian wing will be the Committee of the provincial Legislature (*The Honourable Mr. J. Crerar*: “Primarily”), and the Members of the Central Committee, if he thinks it, in his discretion advisable, may be allowed to take such part as he may allow them. Now, Sir, I am told that we did not consider the letter of Sir John Simon sufficiently. A great charge has been made, and I am really surprised that the Home Member should have said it: I am not surprised that Sir Darcy Lindsay should have said it, for I can understand he is a merchant after all, and to him, Sir, a document of this character seems a very complicated thing and requires reading and re-reading and sleeping over a couple of nights. But it is an open secret—I tell Sir Darcy Lindsay and I tell my friend, the Home Member also—it has been an open secret. Sir, long before the debate took place in the Houses of Parliament, it was actually retailed in the newspapers as to what negotiations were going on between the Opposition and His Majesty’s Government at Westminster and you have further only got to read the debates of the two Houses of Parliament and you will find that every word almost so far as the substance of this statement of Sir John Simon is concerned, is reproduced practically by the speech of Lord Olivier in the House of Lords and by Mr. Ramsay Macdonald and others in the House of Commons. It is substantially there. Now, Sir John Simon is annoyed, because we expressed our opinion without delay. We assure him that we had no desire to show him scant courtesy in dealing with this statement of his within half an hour and dispose of it as it is alleged: we had all the materials before us. We spent four hours even then in going through it. (*An Honourable Member*: “Three.”) I can assure you I had this statement in my hand at half past five, and the decision was not arrived at before 10 o’clock. Therefore it is no use saying that it is something new, something which was sprung upon us. Well, Sir, but what does it matter? I do not care one straw. Do you suggest to me that our objections to the constitution of this Commission and the scheme which are based on principle are removed by the statement contained in the letter of Sir John Simon? They are not; our objections, which,

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as I said before, are fundamental and based on principle, stand. Well, Sir, the Home Member talked a great deal that the inquiry must be made before conclusions are arrived at and before discussions are taken and he quoted in support of this form the Report of the Minority Committee of the Muddiman Committee. When he did that, he might have quoted the whole passage. I did not expect, as one of the signatories, that we should be represented or considered an authority for this purpose only. The Minority Committee did recommend a Royal Commission. If he had read the whole of it, he would have made it clear to this House what they said. I will read the whole passage, with your permission, Sir:

"To our mind the proper question to ask is, not whether *any alternative transitional system* can be devised, but whether the constitution should not be put on a permanent basis, with provisions for automatic progress in the future so as to secure stability in the Government and willing co-operation from the people. We can only express the hope that a serious attempt may be made at an early date to solve the question. That this attempt should be made whether by the appointment of a Royal Commission with freer terms of reference and a larger scope of inquiry than ours or by any other agency is a question which we earnestly commend to the notice of the Government."

Sir, this report was signed on the 3rd December, 1924, and to-day is the 16th of February, 1928. Why did not the Government give effect to it before? why did you choose this particular moment? (Mr. K. C. Neogy: "Miss Mayo had not yet come.")

Now, Sir, I do not wish really to take up the time of this House, because the question has really been argued out threadbare. But what does the Home Member suggest by quoting this? I fail to understand. Whoever, so far as the political school to which I belong and for whom I speak, said that we are opposed to an inquiry? I do beg of you, not to tar every one with the same brush. You are making a very great mistake in treating all parties as if they were bent on boycott, as if they had the same or wicked reasons for it, that all parties wanted really to boycott this Commission, for some sinister motive. If you are going to adopt that tune, I warn you, you will lose the whole of India very soon.

The Honourable Mr. J. Crerar: I imputed no sinister motive whatever in any part of my speech.

Mr. M. A. Jinnah: Therefore I want you to realise that it is your choice. Do you want only one section of petitioners that is represented there behind the Treasury Benches or do you want any other section to cooperate with you? It is for you to decide. Now, I for myself and speaking for those who think alike with me—and let me tell you that there is a larger body of those people in this country than you know—say that I refuse to accept any Commission unless equal status and equal power is given to Indian representatives for the purpose of investigation and inquiry. (Hear, hear.) Sir, to quote the words of Colonel Wedgewood; what is essential is a change in the mentality of the British people and the Parliament. I think he spoke frankly and honestly. He said this:

"At the present time people in this country are feeling that Indians are irrational and childish and those who have read 'Mother India' probably possess even stronger feelings, and the people of India in the same way are thinking of us as faithless, false and hypocritical. We have both in India and England got to change that feeling if we are to make any sort of success in the future partnership of the two races."

Change your mentality. As long as you think that we are children, that we are irrational, that we are—I would add one more thing—that we are contemptible . . .

Mr. H. G. Cocke (Bombay: European): Inconsistent.

Mr. M. A. Jinnah: Inconsistent,—Mr. Cocke will never approve of or understand what I say, I give him up as hopeless. That is what Lord Haldane also said only a few days ago that the British have not cared to penetrate the Indian mind. If Sir Darcy Lindsay who has got white—I would not say grey—white he was, but on the top he has got white, living in India all these years, and if he cannot understand, then I say to Lord Haldane “Heaven help us.” If the Treasury Benches, who have grown grey in the service here, do not understand, then I say “Heaven help us”. Please do not mislead us. The whole question before you is this. Do you wish any decent party, any decent man, any self-respecting man, to co-operate with you, or do you want only those who come before you as petitioners? If you want petitioners only, I wish you luck. If you want decent, self-respecting men, to work with you, then be frank, be honest, and tell us plainly, “You have not got equal status, you have not got equal power in the present constitution of the Commission and the scheme, but we are ready to give it to you”, or say clearly “No!” But do not pass off and mislead the unwary and misrepresent us. (Loud Applause.)

Rao Bahadur M. C. Rajah: Sir, I stand up to oppose the Resolution of Lala Lajpat Rai and to support the amendment of Sir Zulfiqar 4 P.M. Ali Khan. Sir, it is a painful task for me to have to oppose the Resolution of Lala Lajpat Rai, because I know that Lala Lajpat Rai has been doing some work on behalf of the depressed classes. Sir, Lala Lajpat Rai told us that the Government had created the depressed classes in 1917. I agree with him, for till 1917 the case of the depressed classes was not brought before the Government, because the so-called high caste Hindus remained as a screen between us and the rulers of this land. Sir, he asked us what have the Government done for these depressed classes. What have they done as regards their education and schools? Sir, let me answer these questions first. No doubt Government could have done more for us if the higher classes had not positively stood in the way of our advancement. (*An Honourable Member*: “How do you know?”) I will prove that, Sir. That is exactly what I wanted. In the year 1915 in the old Imperial Legislative Council the Honourable Mr. Dadabhoy, a Parsee gentleman, brought in a Resolution for the amelioration of the depressed classes. Sir, when the debate went on, one of the trusted leaders of the Indians, I mean, no less than the Honourable Pandit Madan Mohan Malaviya, taunted him by saying:

“So far as the elevation or depression of that status rests upon social or socio religious causes, the Government would rightly abstain from making any attempt in that direction.”

Sir, when the trusted representative of the Indians, in the absence of a representative of my community in the Legislative Assembly, comes forward and threatens and tells Government to abstain from making any

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attempt in that direction, what can you expect Government to do? Then, Sir, poor Mr. Dadabhoy in reply said:

"Sir, I find myself in a very peculiar and unfortunate position. There are two parties in this Council, and they are both on their defensive on this occasion. My justification for bringing in this Resolution, if any justification was needed, is to be found in the unenthusiastic and half-hearted support which I have received from my non-official colleagues. It was no pleasure, I assure you, Sir, to me to bring in this Resolution. If I could possibly have avoided it, I would have very cheerfully and very willingly done so. This is the sixth year of the life of this Reformed Council, as Honourable Members are aware, and the second term is now approaching expiration. During the major portion of that time—the five years that I have been in this Council—I anticipated that the champions of public liberty, public spirit and public enterprise and culture, men like my friends the Honourable Mr. Surendra Nath Banerjee or the Honourable Pandit Madan Mohan Malaviya—would take the trouble of moving a Resolution to this effect. I waited all this time to see if one of these enthusiastic members would bring in a Resolution for the amelioration of the depressed classes; but when I found that none of them had taken up the matter—though at times this matter is discussed even in the Congress Pandal in a certain manner; when I found that it was not taken up in this Council—I thought it my duty to do so."

And, therefore, Sir, it is not right for us to blame the Government for not doing much for us. Sir, we had no voice in the Legislatures of this land prior to 1919. We were shut out from this Legislature as untouchables, and who were our spokesmen in those bodies prior to 1920? Sir, our case was not brought before these Councils and the caste Hindus stood as a screen between us and the rulers. My present position in this House is due to the Britishers and the presence of the representatives of my community in the Provincial Councils is also due to the Britishers. In the Madras Legislative Council a prominent member of the Congress Party, who was the Chairman of the Reception Committee of the Madras Congress, moved an amending Bill to the Madras Local Boards Act in which he had brought in an amendment for doing away with nomination, the only door through which the members of the depressed classes and minority communities could get in. From this, Sir, you can gauge the depth of the heart of the Congress men; they do not want us to be there.

Mr. A. Rangaswami Iyengar: We want you to come there by election.

Rao Bahadur M. C. Rajah: You are afraid of us because we will expose you. If the Congress men represent the real India, they would have by this time put in for election some of the members of the depressed classes. Have they? Even to-day, Sir, the Honourable Mr. Jayakar had tabled a motion for the amelioration of the depressed classes and if the Congress Party had their sympathies with us they would not have asked him not to move his Resolution. This was an opportunity for you to have shown your practical sympathy and if you had allowed Mr. Jayakar to move his Resolution you would have got our votes at your command and with the support of us all you could have passed the Resolution.

Sir, as it is. I also find that there is an amendment tabled which asks for a Round Table Conference of seven elected Members of the Central Legislature. I wish to draw the pointed attention of the House to the word "elected". The nominated non-official Members, of course, deserve nothing more than mere ignoring. That shows, Sir, what this country can expect at the hands of these self-appointed plenipotentiaries of India who are anxious to meet the plenipotentiaries of Great Britain. That, Sir, is only a straw, but it is a straw that indicates the way the wind blows. Sir,

we welcome this Commission. We feel that there is a possibility of its proving a blessing to us. We feel that a mixed Commission would have been suicidal from our point of view. Yet let me make my position perfectly clear. I yield to none in my patriotism and love for the country. In fact, representing 60 millions of the depressed classes . . . (A Member of the Congress Party: "Do you?") Yes, I do. Who else? I say that our love and patriotism has been translated into a thousand acts of sacrifice on behalf of the country. Is there any one in this Assembly who seriously doubts the fact that we form the backbone of the country? Is there any one who can canvass the position that our community is a really wealth-producing community in this country? Is there any one, I ask, who can deny the fact that we have given our share—nay, more than our share—in the Great War recently fought? And yet what is our position to day? My friends, the politicians, ask us to boycott the Commission. May I ask them on what grounds their demand is based? What is the insult that has been offered to us by the Simon Commission more than that which every day we are suffering at the hands of our so-called high caste brethren? The Simon Commission has come to this country to judge the real position here and to see how far self-government can be advanced without causing any trouble to the least advanced communities and how far the educated classes of the so-called higher castes are in a position to safeguard the interests and advance the progress of the depressed classes? Sir, I can very well understand the position of the high caste Hindus and their anxiety not to co-operate with the Commission. It is but natural. They are in the position of accused persons. It is their conduct that will come up for inquiry. It is their misrule of centuries and social oppression that will be the subject of investigation and the members of my community will be in the position of complainants and prosecutors. We have full faith in the Simon Commission. We shall tell them that it is the latest fashion of high caste men to speak of the removal of untouchability but that not one jot and tittle of practical work has so far been done. We shall tell them that their Congresses are immersed in political questions and in the solving of the Hindu-Moslem tension, but beyond passing pious resolutions about removing untouchability, nothing is proposed to be done by the most advanced of political parties. You talk of a Round Table Conference and you talk of removing communal differences. Whoever in this country—the Congress men, Liberals or Moderates—has so far thought of a Round Table Conference between high caste men and the depressed classes? Whoever has so far proposed the formation of a pact between the Hindus and the so-called depressed classes? You will not face realities. You know full well that the depressed classes cannot accept the humiliating position they are in and yet you expect them to join you in boycotting the Simon Commission. Our views have been well known to you, you say, and that with an air of superior wisdom and smug self-satisfaction.

An Honourable Member of the Congress Party: We expect nothing from the depressed classes.

Rao Bahadur M. C. Rajah: Sir, we form one-fifth of the humanity in this country. We may be depressed to-day. We may be denied education, we may be treated as slaves, but we are bound to be counted upon and we shall say to the country and to the world that the race is not always to the swift nor the fight always to the most vociferous. We shall go before the Simon Commission to place our case frankly and tell them that, unless

[Rao Bahadur M. C. Rajah.]

social equality is assured, political freedom and even the suffrage will be a mere mirage unless the present hopeless position of affairs is improved and that there is no possibility through the co-operation of the high caste men to work together.

The Honourable Sir Basil Blackett (Finance Member): Sir, I have just heard the distressing news that our colleague, one of the oldest Members of the House, Mr. Harchandrai Vishindas, has died. I am sure the House will feel with me that as a mark of respect we should show our respect to the deceased by not continuing to sit to-day. In the circumstances, as I know that the House is very anxious to come to a conclusion on this debate, I am prepared on the part of the Government to offer Saturday, the 18th instant, for the continuation of this debate. To-morrow, besides being the Muslim holy day, is a holiday in Delhi, but I am prepared to offer Saturday on behalf of the Government. I, therefore, suggest to you that you should adjourn this House as a mark of respect to our deceased brother.

Mr. President: As a mark of respect to the memory of the deceased, this House stands adjourned till Saturday morning at 11 o'clock.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 18th February, 1928.