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THIRD SESSION

of the

THIRD LEGISLATIVE ASSEMBLY

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LEGISLATIVE ASSEMBLY.

Wednesday, 12th September, 1928.

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

QUESTIONS AND ANSWERS.

ATTACHMENT OF INDIANS WHO PASS OUT OF SANDHURST AS 2ND LIEUTENANTS TO A BRITISH UNIT.

475. ***Lala Rang Behari Lal** : (a) Will the Government be pleased to state if under the rules a man who passes out of Sandhurst and gets the King's commission is posted in the first instance to a British unit as a 2nd Lieutenant ?

(b) Will Government be pleased to state if all the Indians who passed out of Sandhurst up to date were so employed ? If so, did any one out of these candidates obtain any bad remarks during the period he was with a British unit ?

(c) Is it a fact that no sooner were they transferred to an Indian unit a large number were given bad remarks for their work ?

(d) Is it a fact that after a period of 2 years 4 months service a 2nd Lieutenant gets his full Lieutenantcy ?

(e) Are there any cases in which Indian officers have not been promoted after the said period ? If so what is their number ?

(f) Will Government be pleased to state if during the same period any European 2nd Lieutenant has been similarly treated. If so, will Government please state the number of such cases ?

Mr. G. M. Young : (a) Yes, except that the officers are not posted, but attached, to British units.

(b) The answer to the first portion is in the affirmative. While attached to British units, two Indian officers received reports which were considered to be below the average.

(c) No, Sir.

(d) A 2nd Lieutenant is eligible for promotion to Lieutenant after 2 years and 3 months commissioned service, if recommended.

(e) Yes. The promotion of two Indian officers has been deferred pending submission of special reports on them. I may add for the Honourable Member's information that if these reports are satisfactory, the officers concerned will be promoted with effect from the date on which they would ordinarily have been eligible for promotion.

(f) No recent cases have occurred.

CONSUMPTION OF OPIUM IN DELHI.

476. *Lala Rang Behari Lal : (a) Has the attention of the Government been drawn to page 15 of the Annual Report of the Central Social Service League, Delhi for the year 1927 ?

(b) Is it a fact that the League of Nations has fixed 6 seers consumption of opium for every 10,000 population ?

(c) Is it a fact that the consumption of opium in Delhi in 1923-24 was 20 seers per 10,000 and that it has been increasing year by year and stood at 32 seers per 10,000 in 1927 ?

(d) If the answer is in the affirmative, would the Government be pleased to state what action they propose to take in the matter ?

The Honourable Sir Bhupendra Nath Mitra : (a) No ; but the Government are trying to obtain a copy of the Report.

(b) The standard of consumption for strictly medicinal and scientific purposes laid down by the Opium Advisory Committee of the League of Nations is 600 milligrammes per annum per head of the population (roughly equivalent to 6 seers per 10,000) in countries where medical relief is fairly well organised.

(c) Yes.

(d) The figures of consumption in question are figures of consumption of licit opium only. The rise in the figures is attributed partly to an increase since 1923-24 of visitors to Delhi, but mainly to the success of administrative measures directed against the consumption of illicit opium in that area. It is not established that the actual consumption of opium in Delhi has seriously risen and, while anxious to see a reduction in the actual consumption, the Government of India, who have already given their particular attention to the matter, are not satisfied that any action by them to that effect is at present necessary or feasible.

LOCATION OF THE OFFICE OF THE DIVISIONAL SUPERINTENDENT, NORTH WESTERN RAILWAY IN DELHI.

477. *Lala Rang Behari Lal : (a) Will the Government please state if the Divisional Superintendent's Office, Delhi, is located in a portion of the Imperial Bank Building in Chandni Chowk ?

(b) Will the Government please state if several of these rooms were designed and used as godowns for the storage of packages ?

(c) Is it a fact that these ill-ventilated godowns with only one door are used as offices and clerks work there for about eight hours daily ?

(d) Will Government be pleased to state if owing to working in these rooms many clerks and inferior staff have ruined their health and some have actually died ?

(e) Will Government please state if the number of absentees due to sickness is higher in this office in comparison with other offices due to work in unsuitable premises ?

Mr. A. A. L. Parsons : (a) Yes.

(b) to (e). Government have no detailed information, but I may add that it is proposed to locate the Divisional Superintendent's office at Delhi elsewhere as soon as arrangements can be made.

MEDICAL TREATMENT OF RAILWAY EMPLOYEES OF THE NORTH WESTERN RAILWAY IN DELHI.

478. *Lala Rang Behari Lal : (a) Will the Government be pleased to state if it is a fact that for over 3,000 railway employees in the Delhi Province and their families there is only one Sub-Assistant Surgeon who sits in the Delhi Civil Hospital ?

(b) Is it a fact that the fee charged by the Sub-Assistant Surgeon from employees drawing Rs. 100 or thereabouts and living in the city is Rs. 2 per visit and by the Chief Medical Officer Rs. 16 per visit while according to rules it should be annas 8 and Rs. 3, respectively ?

Mr. A. A. L. Parsons : (a) The North-Western Railway employees in the Delhi Province number approximately 3,750. To attend to this staff, the Railway Administration pays an allowance to the Civil Surgeon of Delhi, and also contributes to the Civil Hospital, Delhi, to the Hindu Rao Hospital, the Tis Hazari Police Hospital, and the Paharganj Dispensary. They have two whole-time Sub-Assistant Surgeons.

(b) Railway employees are entitled to free treatment in their homes from the medical staff mentioned.

HOUSING ACCOMMODATION FOR CLERKS OF THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

479. *Lala Rang Behari Lal : Will Government be pleased to state if any and if so what arrangements are being made for the housing of clerks and other servants serving in the Clearing and D. S. Offices at Delhi ?

Mr. A. A. L. Parsons : Proposals are now being formulated, for providing accommodation for the clerks in the Clearing Accounts Office.

OVERTIME WORKED BY EMPLOYEES OF THE DIVISIONAL AUDIT OFFICE, DELHI.

480. *Lala Rang Behari Lal : (a) Will Government be pleased to state if for more than a year employees in the Divisional Audit Office, Delhi, have been working overtime for more than an hour daily without any overtime allowance ?

(b) Do Government propose to enquire into the matter, and take necessary steps to remove the hardship ?

The Honourable Sir Bhupendra Nath Mitra : Enquiry is being made and a reply will be sent to the Honourable Member in due course.

481--483*.

RECOMMENDATIONS OF THE ROYAL COMMISSION ON AGRICULTURE.

484. *Mr. O. Duraiswamy Aiyangar : (a) Have Government resolved upon giving effect to the recommendations of the Royal Commission on Agriculture ?

(b) If so, which of the recommendations will be given effect to, and when ?

*For answers to these questions, see at the end of the question list for the day.

(c) Do the Government propose to put in a supplementary demand for giving effect to any of the recommendations in the current year ?

(d) Will the Government be pleased to state which of the recommendations will be taken up by the Central Government and which of them will be left to the Provincial Governments ?

(e) In giving effect to the recommendations, do the Government propose to bring in any experts from outside India and if so, how many and on what salaries ?

Mr. G. S. Bajpai : (a) The Government of India are still considering the Report.

(b) and (c). Do not arise.

(d) The question as to which recommendations concern the Government of India and which the Local Governments is under consideration in consultation with Local Governments.

(e) As the Report is still under consideration, the Government of India have come to no conclusions in regard to the points raised by the Honourable Member.

Mr. C. Duraiswamy Aiyangar : May I know when Government expect to come to some conclusions in regard to this matter ?

Mr. G. S. Bajpai : Government are waiting until they have had an opportunity of discussing generally the main recommendations of the report with the Provincial Ministers, a conference of whom has been convened for the 1st October.

Mr. C. Duraiswamy Aiyangar : May I know whether, so far as the recommendations affecting the Government of India are concerned, the Government of India propose to take immediate action or action in the near future ?

Mr. G. S. Bajpai : No recommendation made by the Commission is of such a character as to affect the Government of India exclusively. Whether it is a recommendation made about the formation of an Agricultural Research Council, or the improvement of Pusa, or the establishment of a Veterinary College, in giving effect to all these recommendations, the Government of India, even if the responsibility is exclusively theirs, have to work in conjunction with Local Governments and, therefore, until the Government of India have had an opportunity of discussing these matters with the representatives of the provinces, they cannot come to any conclusion.

REMOVAL OF THE POST OFFICE AT COONOOR FROM "MINSTED" TO "ROSE HALL."

485. ***Mr. C. Duraiswamy Aiyangar :** (a) Is it a fact that the post office at Coonoor in the Nilgiris was removed to "Rose Hall" in May last before the expiry of the lease of the old building ?

(b) Will the Government be pleased to state who paid the rents of the old building "Minsted" for the period until the termination of the lease after the post office was removed to the new building ? Is it a fact that the buildings "Minsted" were let out by the postmaster to the staff of the Raja of Pittapuram and rent collected from them ?

Mr. P. G. Rogers : (a) Yes.

(b) The owner of "Rose Hall" paid the rent of the old building until the termination of the lease. As regards the latter part of the question Government have no information.

CONCLUSIONS ARRIVED AT BY THE ALL-INDIA DEPARTMENTAL CONFERENCE ON THE RECOMMENDATIONS OF THE ROYAL COMMISSION ON AGRICULTURE.

486. ***Mr. C. Duraiswamy Aiyangar :** Will the Government be pleased to state what conclusions have been arrived at by the All-India Departmental Conference held in connection with the recommendations of the Royal Commission on Agriculture ?

Mr. G. S. Bajpai : No such conference has been held.

†487*.

ENQUIRIES INTO ACCIDENTS ON RAILWAYS.

488. ***Mr. A. H. Ghuznavi :** In view of the fact that railway accidents are so frequent do Government propose to establish a rule that in future in the case of every accident there should be (1) a Coroner's enquiry, and (2) a judicial enquiry by a mixed committee of officials and non-officials ?

The Honourable Sir George Rainy : Enquiries into railway accidents are governed by rules made by the Governor-General in Council under section 84 of the Indian Railways Act, 1890. These rules were published in Notification No. 120-T-18, dated the 21st March, 1923, in Part I of the Gazette of India of 24th March, 1923, and prescribe the conditions under which the Senior Government Inspector, who is an officer of Government appointed under section 4 of the Indian Railways Act, holds enquiries into accidents. The rules also empower a District or other Magistrate and the Police to make separate enquiries into the causes of an accident. The Magistrate's enquiry is a public enquiry. Government consider that these orders ensure the fullest possible enquiry into accidents and their causes and do not propose to modify the rules.

The suggestion that non-officials should be associated in these enquiries was very carefully enquired into by Government and discussed with the Central Advisory Council for Railways in August 1926. On the advice of the Council the further consideration of the suggestion was dropped.

DELIVERY TO THEIR RELATIVES OF THE BODIES OF PERSONS KILLED IN ACCIDENTS ON RAILWAYS.

489. ***Mr. A. H. Ghuznavi :** Do Government propose to direct that in regard to casualties in railway accidents in future arrangements be made to deliver the bodies of the deceased to their relations for disposal ?

The Honourable Sir George Rainy : The present rules already provide for this whenever it is practicable. They lay down that it is the duty of the railway police to hand over the bodies of the deceased to their relatives whenever their relatives can be found. If unfortunately the relatives cannot be communicated within sufficient time, it is incumbent on the railway police to give the dead a decent burial or cremation.

†490*—499*.

†For answer to this question see at the end of the question list for the day.

RULES RELATING TO SEAMEN EMPLOYED IN THE ROYAL INDIAN MARINE.

500. ***Mr. N. M. Joshi** : Will Government be pleased to state :

- (a) Whether they have issued any instructions to the Director, Royal Indian Marine, Bombay, to introduce any new set of rules regarding the seamen on Royal Indian Marine ships sometime in March last ?
- (b) If so, will Government be pleased to place the rules on the Assembly table ?
- (c) Whether the rules are framed under any Act of the Legislature ?
- (d) Whether the rules are meant to prepare the Royal Indian Marine seamen to become members of the Indian Navy at a future time ?
- (e) Whether they are mere disciplinary rules ?

Mr. G. M. Young : (a), (b) and (c). The recent re-organisation of the Royal Indian Marine necessitates the revision of the rules made under section 4 of the Indian Marine Act, 1887. The rules so made will be statutory rules, made by the Government of India, and, as required by the same section, will be published in the Gazette of India. Copies will be placed in due course in the Library. Government do not think it necessary, in addition, to lay them on the table of this House.

(d) No, Sir, the rules will apply to the personnel of the Royal Indian Marine as at present constituted. New rules and regulations under the Naval Discipline Act would be required if the Royal Indian Marine were converted into a Navy. As Honourable Members are aware, the Naval Discipline Act has not yet been applied in India.

(e) Rules under section 4 of the Act will be disciplinary rules.

Mr. N. M. Joshi : May I ask whether Government can state the exact meaning of the words "in due time" ?

Mr. G. M. Young : Does the Honourable Member refer to the words "in due course" which occur in my reply ?

Mr. N. M. Joshi : Yes.

Mr. G. M. Young : As soon as they have been published in the Gazette of India.

Mr. N. M. Joshi : When will they be published ?

Mr. Gaya Prasad Singh : In due course. (Laughter.)

Mr. G. M. Young : Very shortly.

Mr. N. M. Joshi : May I ask whether the Government can make available the old rules if the new rules are not yet made ?

Mr. G. M. Young : There are no old rules under section 4.

Mr. N. M. Joshi : Do I understand that there are no rules governing the conditions of service of these Royal Indian Marine men ?

Mr. G. M. Young : No rules were made under section 4 of the Indian Marine Act because formerly seamen of the Royal Indian Marine were not enrolled.

Mr. N. M. Joshi : How were the conditions of service of the Royal Indian Marine men determined if there were no rules ?

Mr. G. M. Young : As I have explained before now, these men used to serve on agreements which governed the conditions of their service.

Mr. N. M. Joshi : May I get a copy of that agreement ?

Mr. G. M. Young : I think so, Sir. I shall try to obtain a copy for the Honourable Member.

PAY, LEAVE AND PENSION OF SEAMEN EMPLOYED IN THE ROYAL INDIAN MARINE.

501. ***Mr. N. M. Joshi :** (a) Will Government be pleased to lay on the table rules regarding the pay, leave and pension of the Royal Indian Marine seamen ?

(b) Will Government be pleased to state whether it is a fact that rules regarding pay, leave and pension of the Royal Indian Marine seamen are to be revised so as to give the men the same rights and privileges as those of Government servants in other Departments ?

(c) Will Government be pleased to state whether the seamen are required to sign a pledge, and, if so, what ?

Mr. G. M. Young : (a) The rules regarding the pay, leave and pension of the Royal Indian Marine seamen will be incorporated in Marine Regulations, a copy of which will be placed in the Library.

(b) I am not sure that I understand this part of the question. Certain alterations in the existing rules have been made to improve the conditions of service in the Royal Indian Marine in connection with its recent re-organization, but no further revision is contemplated.

(c) Seamen are enrolled, and, like all other enrolled personnel have to take the prescribed oath of allegiance.

Mr. K. Ahmed : Do the Indian lascars and seamen of the Royal Indian Marine at Calcutta get any gratuity, leave and pension ? Is it a fact that they are treated as daily labourers working for 30 or 40 years even without getting any pension, leave and gratuity ?

Mr. G. M. Young : Will the Honourable Member kindly repeat his question ?

Mr. K. Ahmed : Do seamen or lascars engaged in the Royal Indian Marine at Calcutta get any leave, pension or gratuity after having served for 30 or 40 years ? Are they treated as day labourers even after that service, or do they really get any leave, pension or gratuity ?

Mr. G. M. Young : The personnel engaged in the Royal Indian Marine are enrolled. They get pay, pension, leave and so forth. Formerly, as I have explained, they served on civilian agreements under which they did not get any pension. They got pay of course.

Mr. K. Ahmed : Are Government aware that attached to Fort William in Bengal there are about 79 lascars and seamen belonging to the Royal Indian Marine who have applied for the same to the Government of India and to the Department of my Honourable friend, as well as to

His Excellency the Viceroy, and that the matter has been under consideration for some time past, and that they have not got any relief with regard to their memorial for leave, gratuity and pension, dated the 3rd January, 1927 ?

Mr. G. M. Young : I have no information about the application in question, but I will make an inquiry.

RECOGNITION OF THE UNION OF THE SEAMEN OF THE ROYAL INDIAN MARINE IN BOMBAY.

502. ***Mr. N. M. Joshi :** Will Government be pleased to state :

- (a) Whether the Royal Indian Marine seamen are precluded from forming a trade union under the Indian Trade Unions Act, 1926, or under any other law in force ?
- (b) If they are not so prohibited, then why did the Director, Royal Indian Marine, Bombay, decline to recognise the union when its office-bearers interviewed him at the end of March last ?
- (c) If the men can form a union, do Government propose to issue instructions to the Registrar of Trade Unions, Bombay, to register the same and to the Director, Royal Indian Marine, to recognise it ?

Mr. G. M. Young : (a) Royal Indian Marine seamen are enrolled as combatants under the Indian Marine Act, 1887. No combatant personnel in any service are permitted to join a trades union.

(b) and (c). Do not arise.

STARTING OF AN ASSEMBLING PLANT IN BOMBAY BY MESSRS. THE GENERAL MOTORS CO., LIMITED, OF AMERICA.

503. ***Mr. Lalchand Navalrai :** (a) Has the attention of the Government been drawn to ' Messrs. the General Motors Co., Limited ' of America starting an assembling plant in Bombay and the leading article on this subject in the *Sind Observer*, Karachi, dated 28th July, 1928 ?

(b) What is the policy of the Government in allowing foreign firms to start business and industries in India ?

(c) Do Government propose to legislate that foreign firms starting industrial enterprises in India should have rupee capital, a majority of which should be offered to Indians for being subscribed to, and with a majority of Indian directors ?

The Honourable Mr. A. C. McWatters : (a) Yes.

(b) Government's policy in this matter is not to raise obstacles to the free inflow of foreign capital into India, but to grant monopolies or concessions only to companies incorporated and registered in India with rupee capital, such companies to have a reasonable proportion of Indian Directors and to afford facilities for training Indian apprentices.

(c) No.

PAY OF SUB-WAY INSPECTORS ON THE NORTH WESTERN RAILWAY.

504. ***Mr. Lalchand Navalrai** : (a) Will Government be pleased to state whether it is a fact that the late Mr. Harchandrai Vishindas, M.L.A., had raised the questions of pay and prospects of Sub-Way Inspectors on the North-Western Railway in this House on 26th February, 1926, and he was replied to by Mr. G. G. Sim that the copy of the questions would be sent to the Agent, North-Western Railway, who would consider the representations made to him on the subject ?

(b) Is it a fact that the Central Delegate Council of the North-Western Railway, recognized Union, which met at Quetta on 28th, 29th and 30th July, 1927, had made a representation on the subject to the Agent, North-Western Railway ?

(c) Are Government aware that the Agent in his reply to the General Secretary of the aforesaid recognized Union said that the pay of the Sub-Way Inspectors had been fixed after considering the nature of duties they were performing ?

(d) Will the Government be pleased to state in what respects the duties of Sub-Way Inspectors are of a less responsible nature than those of Sub-Inspectors of Works, Sub-Inspectors of Interlocking, Sub-Inspectors of Block, and Sub-Inspectors of the Train Examiners and Bridge Departments of the Railway ?

Mr. A. A. L. Parsons : (a) Yes.

(b) and (c) Government have not received nor would they expect to receive a report from the Agent of the Railway with regard to any such representation.

(d) Government are not prepared to express any opinion on the comparative responsibilities of Sub-Way Inspectors and the other officials mentioned by the Honourable Member.

Mr. Lalchand Navalrai : Does not the Honourable Member think that the duties of the Sub-Way Inspectors are more risky than those of the other classes referred to in this question ?

Mr. A. A. L. Parsons : Sir, as I have stated, Government are not prepared to express any opinion. I certainly cannot express any personal opinion as I am not aware of the details of the work of these various classes of employees.

Mr. Lalchand Navalrai : Will the Honourable Member then say whether Government will reconsider the case of these Sub-Way Inspectors and examine the reasons given by the Agent ?

Mr. A. A. L. Parsons : No, Sir. It is a matter which I think the Agent can very well decide himself. He is certainly in a much better position to do so than Government.

PROMOTION OF SUB-WAY INSPECTORS TO PERMANENT WAY INSPECTORS ON THE NORTH WESTERN RAILWAY.

505. ***Mr. Lalchand Navalrai** : (a) Is it a fact that some Sub-Way Inspectors are waiting on North-Western Railway for promotion to the

P. W. I.'s cadre after having passed all the qualifying departmental examinations ?

(b) If so, will Government be pleased to state, why they are not being promoted when they are fully qualified for the post of P. W. Is. ?

(c) Is it a fact that of late the North-Western Railway has taken to the practice of recruiting Apprentice P. W. Is. ?

(d) If so, will Government be pleased to state the reasons for debarring railway qualified men from promotion and giving preference to apprentices for the higher grade of P. W. I.'s posts ?

Mr. A. A. L. Parsons : The information required by the Honourable Member has been called for and will be furnished to him on receipt.

PAY OF CERTAIN CLASSES OF EMPLOYEES OF STATE RAILWAYS.

506. ***Mr. Lalchand Navalrai :** Will Government be pleased to place a statement on the Assembly table showing the scale of pay of the following staff on various State Railways in India :

Sub-Way Inspectors, Sub-Inspectors of Works, Sub-Interlocking Inspectors, Sub-Block Inspectors, Sub-Train Examiners, and Sub-Bridge Inspectors ?

Mr. A. A. L. Parsons : The designations of such staff vary on the different Railways, but the Honourable Member will find the information he requires regarding the scales of pay in the establishment rolls, copies of which are in the Library.

REPRESENTATION OF THE EAST INDIAN RAILWAY ON THE INDIAN MINING ASSOCIATION, CALCUTTA.

507. ***Mr. K. C. Neogy :** (a) Is it a fact that the East Indian Railway is a member of Indian Mining Association, Calcutta, as being the owner of a few collieries ?

(b) Is it a fact that the Railway Administration in question is represented on the Committee of the Indian Mining Association by one of its responsible officers ?

(c) If the reply to (a) or (b) be in the affirmative, has the action of the East Indian Railways the approval of the Government ?

Mr. A. A. L. Parsons : I am making enquiries and will communicate the result to the Honourable Member in due course.

Mr. Ghanshyam Das Birla : When does this House expect to get replies to these questions ?

Mr. A. A. L. Parsons : As regards question No. 507, I do not think it will take any long time, Sir. We had not got the information in the Railway Board's office, and we therefore asked the Agent of the East Indian Railway for it. It ought to be available in the course of a week or ten days anyhow.

Mr. Ghanshyam Das Birla : Does it take long to make inquiries in such matters ?

Mr. A. A. L. Parsons : It takes the usual time to write a letter, post it and get a reply to a simple inquiry.

Mr. Ghanshyam Das Birla : Is the Honourable Member aware or not aware that these Departments of Government are at present members of these private institutions, namely, the Bengal Chamber of Commerce and the Indian Mining Association ?

Mr. A. A. L. Parsons : The Honourable Member appears to be referring to the next question, Sir, on which I have a reply already.

Mr. K. C. Neogy : Is it not a fact that the question referred to was sent in about two weeks back ?

Mr. A. A. L. Parsons : I have not got the exact date, Sir. Certainly as soon as we received question No. 507, we immediately asked the Agent of the East Indian Railway for the information.

REPRESENTATION OF STATE RAILWAYS ON EUROPEAN CHAMBERS OF COMMERCE.

508. ***Mr. K. C. Neogy :** (a) Is it a fact that the different State Railways are members of the European Chambers of Commerce in India, and that their responsible officers take an active part in the deliberations of these Chambers as members of Committees, etc. ?

(b) If so, has such action of the railway authorities the approval of Government ?

(c) Have Government received any representation protesting against such action of the Railways ? If so, on what grounds have such protests been made, and with what result ?

Mr. A. A. L. Parsons : (a) The East Indian and Eastern Bengal Railways are members of the Bengal Chamber of Commerce, the North-Western Railway of the Karachi Chamber of Commerce, and the Great Indian Peninsula Railway of the Bombay Chamber of Commerce. The Bengal Chamber invite each of the Railways whose headquarters are at Calcutta to a seat on their Committee once in every three years. The North-Western Railway representative regularly sits on the Committee of the Karachi Chamber. The Great Indian Peninsula Railway representative is invited to a seat on the Committee of the Bombay Chamber every alternate year.

(b) Yes.

(c) Yes. The Indian Chamber of Commerce, Calcutta, have recently addressed Government and represented that the views of such Chambers of Commerce are likely to receive unduly favourable consideration. The general question of Railways being represented on Chambers of Commerce is under examination, but I would assure the Honourable Member that there are no grounds for the implication made by the Indian Chamber.

Mr. Ghanshyam Das Birla : May I inquire what special advantage the Railways get by becoming members of these Chambers ?

Mr. A. A. L. Parsons : I think the question is rather what special advantage the Chambers get by the railway representatives being on their Committees.

Mr. Ghanshyam Das Birla : How is it, Sir, that these Departments of the Government are members only of the European Chambers and are not members of the Indian Chamber of Commerce, Calcutta, and the Indian Merchants' Chamber, Bombay ?

Mr. A. A. L. Parsons : I am not aware, Sir, that the Railways have ever received an invitation from these two Chambers to become members of their bodies.

Mr. Ghanshyam Das Birla : Is it necessary for the Chambers to send invitations to the Railways to become members, or is it for them to apply for membership of these Chambers ?

Mr. A. A. L. Parsons : The Honourable Member is probably better aware than I am of the procedure adopted by these Chambers, of which I have never been a member ; but I imagine that if these particular Chambers wish to have railway representatives, there are means by which their wishes can be conveyed to the Railways.

Mr. Ghanshyam Das Birla : May I inquire, Sir, if they got invitations from the European Chambers of Commerce to become members of their Association ?

Mr. A. A. L. Parsons : I am afraid I cannot answer that, Sir ; it would probably mean delving into correspondence of a long time back which I have not so far seen.

Mr. Ghanshyam Das Birla : May I inquire whether, if the Indian Chambers sent invitations to these Railways to become members they would accept such invitations and join as members of the India Chambers ?

Mr. A. A. L. Parsons : The matter will be considered as part of the examination of the position which we are now making, owing to the representations received from the Indian Chamber of Commerce in Calcutta.

Mr. Ghanshyam Das Birla : May I inquire whether, in view of the fact that these Departments of Government are members of these various European Chambers, the representations which Government get from time to time from these Chambers should be taken as impartially representing the public point of view ?

Mr. A. A. L. Parsons : As I have said, Sir, there are no grounds for thinking that these particular Chambers receive unduly favourable consideration because members of the Railways are either on their Chambers or on their Committees.

Mr. Ghanshyam Das Birla : Is it a sound policy for Departments of Government to become members of a private Association ?

Mr. A. A. L. Parsons : As at present advised, Government see no objection to that policy. It is desirable that the Agents of our big Railways should be in close touch with big commercial organizations.

Mr. K. C. Neogy : Is the Honourable Member aware that the interests of the Indian Commercial community do not always coincide with those of the European commercial community, particularly in their relations with the Railway Department ?

Mr. A. A. L. Parsons : I have not discovered that so far as their dealings with the Railway Department have come to my notice. I am not prepared to express an opinion on the more general question.

Mr. K. C. Neogy : Has the Honourable Member read the evidence given before the Aeworth Committee on this point, particularly by the Indian mining interests in Calcutta ?

Mr. A. A. L. Parsons : I probably have read the evidence at some time.

Mr. K. C. Neogy : Will the Honourable Member kindly look up that evidence and state in this House whether the charges brought forward on that occasion were not well-founded ?

Mr. A. A. L. Parsons : I will look up the evidence, but I think it unlikely that I should be prepared to express my own opinion.

Sir Purshotamdas Thakurdas : When do Government propose to come to a decision in regard to the representation of the Indian Chamber of Commerce in Calcutta ?

The Honourable Sir George Rainy : I am afraid I cannot give the Honourable Member an exact date, but the attention of the House having been specially drawn to this matter I shall certainly see that no avoidable delay occurs.

Mr. N. M. Joshi : May I ask whether the European Chambers of Commerce take part in politics, especially anti-labour politics, and whether the Agents of these railways who are Government officers are permitted to be responsible for the views of European Chambers of Commerce, especially anti-labour views ?

Mr. A. A. L. Parsons : So far as I am aware, Sir, the Agents of these railways take practically no part in the business of the Chambers unless it happens to be railway business. I am not certain of it, but that is my impression from discussions with the Agents particularly in Calcutta.

Mr. Ghanshyam Das Birla : In view of the reply given by the Honourable Member that Government does not see any objection to these Departments becoming Members of the Chambers of Commerce, may I inquire if the Government of India as the Government of India will consider the desirability of becoming a member of the Indian Chamber of Commerce in Calcutta ?

Mr. A. A. L. Parsons : I have stated that we would consider the suggestion of the Railways concerned becoming members.

PERCENTAGE OF VACANCIES IN THE INDIAN FOREST SERVICE FILLED BY PROMOTION OF OFFICERS OF THE PROVINCIAL FOREST SERVICE.

509. ***Mr. K. C. Neogy :** What is the percentage of vacancies in the Indian Forest Service now filled by promotion of officers of the Provincial Forest Service ? Is it a fact that the Lee Commission recommended an increase of this percentage ? If so, have Government given effect to this recommendation ? If not, what are their intentions in the matter ?

Mr. G. S. Bajpai : No percentage of vacancies in the Indian Forest Service is reserved now for promoted officers of the Provincial Forest Service. 12½ per cent. of the total Indian Forest Service cadre was set apart in 1921 for the promotion of Provincial Forest Service officers as a result of the recommendations of the Islington Commission. This proportion of posts is now held by Provincial Forest Service officers and it is the intention of Government to fill each vacancy in this portion of the cadre by promotion from the Provincial Forest Service. This will

give, during the period 1928-34, officers of the Provincial Service 10 vacancies out of 24, or 41.66 per cent. of the total number of vacancies.

2. No increase in the percentage of posts or vacancies to be filled by promotion from the Provincial Forest Service was recommended by the Lee Commission.

INSECURITY OF THE ROADS IN THE PESHAWAR DISTRICT.

510. *Mr. A. H. Ghuznavi : (a) Are the Government aware that roads in the district of Peshawar are unsafe after dusk and that all traffic is consequently closed at that hour ?

(b) Are the Government aware that owing to the depredations of outlaws and local budmashes villagers in the vicinity of Peshawar consider their life and property as perfectly insecure ?

(c) Is it a fact that a small mounted guard is sent daily in the evening to patrol the Grand Trunk Road near the city only for a short time and up to a short distance ?

(d) Is it a fact that the establishment of two cinema companies showing American films has led to the growth of crimes in recent years ?

Sir Denys Bray : (a) Owing to the proximity of the unpoliced tribal territory, where the population are armed and ill-controlled, the roads in the Peshawar District can never be considered as safe as the roads on this side of the Indus. Apart from the barbed wire perimeter of the Peshawar Cantonment the only road closed after dusk is the Peshawar Kohat Road, which goes through tribal territory.

(b) No, Sir. Conditions are better now than they have been for several years.

(c) Yes.

(d) No.

Nawab Sir Sahibzada Abdul Qaiyum : Will the Government please state how the state of affairs in the North-West Frontier Province in respect of crime and safety of life and property compares with the state of affairs in Bengal, from which province the Honourable Member comes, and how many broad daylight dacoities such as the one committed in the Calcutta Post Office have been committed during the last few years in the Frontier Province ?

Sir Denys Bray : The Honourable Member is surely not addressing me, but my friend Mr. Ghuznavi.

Nawab Sir Sahibzada Abdul Qaiyum : I want the Government to compare the state of affairs in respect of crime in the North-West Frontier Province with other provinces, and to state whether the North-West Frontier Province is more unsafe than Bengal or even the Punjab ?

Sir Denys Bray : I should be glad of very long notice of that question.

ROBBERIES AND DACOITIES COMMITTED IN THE NORTH WEST FRONTIER PROVINCE FROM 1885 TO 1926, ETC.

511. *Mr. A. H. Ghuznavi : (a) Will the Government be pleased to lay on the table a statement showing the highway robberies and dacoities committed in the North-West Frontier Province from 1885 to 1926 and

also a statement showing the strength of the police during the same period ?

(b) Do Government propose to take steps to increase the strength of the police in that area ?

The Honourable Mr. J. Crerar : (a) I am afraid I cannot undertake to furnish the Honourable Member with these statistics for a period of over 40 years. For more recent years they are published in the annual Police Administration Report, to which I would refer the Honourable Member.

(b) Additions have been made to the force from time to time as found necessary. I understand that 35 Sub-Inspectors and Head Constables and 422 foot constables have been added to the police force since 1924. The question whether further increases are required is now under the consideration of the local authorities.

NUMBER OF ACCOUNTANTS AND CLERKS IN THE MILITARY ACCOUNTS DEPARTMENT.

512. ***Mr. A. H. Ghuznavi :** (a) Will the Government be pleased to lay on the table a statement showing the number of accountants and clerks serving in the Military Accounts Department in India and the number of Muslims among them ?

(b) Is it a fact that on a representation made by the Muslim Association, Peshawar Cantonment, in 1925, the Financial Adviser to the Government of India, Military Finance, instructed the Controller, Military Accounts, Peshawar, to notify to the Association when vacancies occur in his office ?

(c) Will the Government be pleased to state if the instructions referred to above have been followed ? If not, why not ?

The Honourable Sir Bhupendra Nath Mitra : (a) The required statement is placed on the table.

(b) and (c). I would invite reference to the reply given by me to part (b) of a similar question (No. 394) asked by my Honourable friend Mr. Ismail Khan.

Statement showing the number of accountants and clerks serving in the Military Accounts Department in India on the 1st September, 1928, and the number of Muslims among them.

	Total number of accountants and clerks employed in the (Military Accounts Department on the 1st September 1928 including Muslims).	Number of Muslims among those shown in the previous column.
Accountants ..	465	21
Clerks—Permanent and temporary.	4,108	361
Total ..	4,573	382

ARTICLES IN THE *Times of India* REGARDING THE RECENT TOUR OF THE PRESIDENT OF THE LEGISLATIVE ASSEMBLY.

513. *Mr. Gaya Prasad Singh : (a) Will Government kindly state the total amount of public expenditure incurred by Sir Frederick Whyte in touring over this country during his tenure of office as President of this House, as well as the places visited by him ?

(b) Are Government aware that the visit of the Honourable Mr. Patel to provincial capitals is welcomed by the Presidents of the local Councils, and by the non-official members generally ?

(c) Has the attention of the Government been drawn to a remark made by the *Times of India* in its issue of the 24th August, 1928, in which an attack is made upon the Honourable the President of the Legislative Assembly for his recent tour ?

(d) Do Government propose to take any action against the paper, as its remark constitutes an attack upon the dignity of the House and its President ?

Mr. J. Crerar : (a) A statement is laid on the table.

(b) The matter is not within my special cognizance, but I am quite prepared to accept the view suggested in the Honourable Member's question.

(c) Yes.

(d) Government are not aware that the article gives legal grounds for taking action.

Statement showing the tour expenses of, and places visited by, the Honourable Sir Frederick Whyte during his tenure of office as President of the Legislative Assembly.

Year.	Places visited.	Expenditure incurred.	Remarks.
1921-1922.	Calcutta, Dacca, Patna, Poona, Bombay, Calcutta, Rangoon, Mandalay, Moulmein and Martaban.	Rs. a. p. 2,137 4 0	Includes the expenditure incurred during Sir F. Whyte's tour as Chairman of the Burma Reforms Committee.
1922-1923.	Calcutta, Dacca, Pandu, Shillong, Ranchi, Katgodam, Nainital, Bareilly, Bombay, Madras, Tanjore, Trichinopoly and Calcutta.	6,604 4 3	Excludes expenditure incurred on reserved compartments and cabins which it has not been possible to ascertain.
1923-1924.	Calcutta, Lucknow and Lahore.	2,910 3 0	
1924-1925.	Patna, Calcutta and Gwalior ..	2,843 9 0	
1925-26.	Peshawar and Taxila ..	380 4 0	
	Total ..	14,875 8 3	

Mr. Gaya Prasad Singh : Is it not a fact that the Selborne Committee recommended the step which Sir Frederick Whyte and the present President have followed ?

Mr. President : I have already informed Honourable Members that I propose to make a statement on the subject.

ARTICLE IN THE *Times of India* REGARDING THE RECENT TOUR OF THE PRESIDENT OF THE LEGISLATIVE ASSEMBLY.

514. ***Maulvi Abdul Matin Chaudhury :** (a) Has the attention of the Honourable the President been drawn to the article published in the *Times of India* of 25th August, criticising the Honourable the President of the Assembly for undertaking the recent tour in the Provinces ?

(b) Will the Honourable the President be pleased to state if there is any bar to such a tour being undertaken by the President ? If so, was such a bar applied in the case of Sir Frederick Whyte ?

(c) Is the Honourable the President aware that the Selbourne Committee expressed the wish that the President of the Assembly should keep himself in touch with the provincial Presidents ?

(d) Is the Honourable the President aware that the Indian Press has welcomed the Honourable the President's tour as conducive to a better understanding of the working of the various Legislatures and the application of a uniform practice and procedure ?

(e) Is the Honourable the President aware that since the inauguration of the reformed Councils the utility of the Honourable the President's tour has never been questioned in this House nor has the expenditure incurred therefor criticised ?

(No answer was given to this question.)

Maulvi Abdul Matin Chaudhury : My question has not been answered.

Mr. President : You will get the answer in due course.

CONCESSIONS TO OFFICERS OF THE INDIAN MEDICAL SERVICE.

515. ***Mr. Vidya Sagar Pandya :** (a) Is it a fact that a Lieutenant on probation in the Indian Medical Service who is seconded while holding a resident appointment in a recognised civil hospital in England, reckons such period, up to maximum of one year, towards service for pension ?

(b) Is it a fact that the above regulation was amended by Army Instruction (India), Part B. 135 of 1927, and this concession was extended to officers who have held resident appointments in some recognised civil hospitals in India as well, and that the period will count not only towards pension, but also towards promotion and increment of pay up to a maximum of one year ?

(c) Is it a fact that this concession is only applicable to officers who are appointed on or after 1st July 1926 ?

Mr. G. M. Young : (a) and (b). The answer is in the affirmative.

(c) Both concessions, that is those mentioned in (a) and (b) respectively, are applicable to officers only who are appointed on or after the 1st July 1926.

COUNTING TOWARDS PENSION, PROMOTION, ETC., OF SERVICE RENDERED UNDER THE PROVINCIAL GOVERNMENTS BY OFFICERS WHO VOLUNTEERED FOR SERVICE IN THE INDIAN MEDICAL SERVICE DURING THE WAR.

516. ***Mr. Vidya Sagar Pandya** : 1. (a) Is it a fact that during the war, several officers of the Medical Service holding civil appointments under Provincial Governments, and who held resident appointments in civil hospitals, volunteered for the I. M. S. and later some of them were permanently recruited in the I. M. S. ?

(b) Is it a fact that when these officers were asked to volunteer they were given a definite promise that every consideration would be shown to them in the matter of their future service ?

(c) Is it a fact that some of these officers had 4 or 5 years of permanent Government service without any break, before they were recruited in the I. M. S. ?

(d) Is it also a fact that these few officers are now not being allowed to count their previous Government service towards pension, promotion and increment of pay although officers who have been appointed after the War are allowed the privilege of reckoning such period of civil appointment up to maximum of one year ?

2. Is it a fact that in no other department, *e.g.*, Police, Forest, Education, etc., if an officer is transferred from the Provincial to the Imperial service, does he lose any period of service spent under the Provincial Government ?

3. Is it a fact that I. M. S. officers who had been originally engaged for plague duty and were afterwards appointed to the I. M. S. count the period of their plague service for pension ?

4. In view of these facts do Government propose in the case of these few officers, who were recruited from the Provincial Medical Service to the I. M. S., to grant them the concession of counting their previous service under the Provincial Governments towards pension, promotion and increments of pay in the present service in the I. M. S. ?

Mr. G. M. Young : 1. (a) Yes.

(b) No, Sir. The terms on which volunteers were called for referred purely to temporary service during the war, and no guarantee of permanent service in the I. M. S. was, or indeed could have been, given. All those who volunteered could have returned to their civil careers if they had wished and could have counted all their military service towards pension, promotion and increments of pay in their own cadres.

(c) The details of the previous service under Local Governments of those who succeeded in obtaining permanent commissions in the I. M. S. are not immediately available, but it is probable that the Honourable Member is correct.

(d) The reply to the first portion is in the affirmative. The privilege referred to in the second portion has only recently been granted to officers appointed on or after the 1st July, 1926, in respect of certain prescribed civil appointments held before recruitment to the I. M. S.

2. I presume that the words "in no other Department" in this part of the question are a clerical error for "in every other Department". Answering this question in this sense, I may say that when an officer

is transferred from a Provincial to an Imperial Service such as those mentioned by the Honourable Member, he continues to serve under the Provincial Government concerned and there are special rules to govern the treatment of his previous service. The case is entirely different when an officer belonging to a Civil and Provincial Medical Service does not rejoin that service but is permitted, on his own application, to join an Imperial Military Medical Service.

3. Yes.

4. I will have the Honourable Member's proposal examined so far as pension is concerned. I would point out, however, that the officers in question joined the I. M. S. on their own application and with no prospect of receiving any such concession.

DISMISSAL OF A LARGE NUMBER OF EXPERIENCED PATWARIS, GIRDWARAS, MERABS AND NAIB TEHSILDARS BY THE SETTLEMENT OFFICERS, PESHAWAR.

517. *Mr. A. H. Ghuznavi : (a) Is it a fact that a large number of experienced old Patwaris, Girdwaras, Merabs and Naib Tahsildars have been dismissed by the Settlement Officer, Peshawar ?

(b) Will the Government be pleased to lay a statement on the table showing the reasons for such dismissal and the number of appeals preferred before the Revenue Commissioner that have been accepted ?

Mr. G. S. Bajpai : Enquiries have been made and the information asked for will be supplied to the Honourable Member in due course.

QUESTIONS NOT PUT, OWING TO THE ABSENCE OF THE QUESTIONER, WITH ANSWERS TO THE SAME.

ELIGIBILITY OF CIVILIAN JUDGES FOR THE OFFICE OF CHIEF JUSTICE OF A HIGH COURT.

481. *Mr. C. S. Ranga Iyer : (a) Will the Government be pleased to state if it is a fact that according to the practice and law in force in this country Civilian Judges have not been eligible for the office of the Chief Justice of High Courts ?

(b) Are the Government aware that Indian public and legal opinion has taken exception to the Indian High Courts Bill before Parliament introducing a change in the said practice and law by making Civilian Judges eligible for the office of the Chief Justice of High Courts ?

(c) Will the Government be pleased to state if any correspondence has taken place between His Majesty's Government and the Government of India on this subject ?

(d) Will the Government be pleased to lay on the table the said correspondence ? If not, why not ?

(e) Will the Government be pleased to state whether they have approved of the contemplated change in the practice and law in regard to the eligibility of Civilian Judges for the Chief Justiceship of High Courts ?

(f) Do the Government propose to take the opinion of the High Court Judges and leading barristers, Bar Associations and public bodies on this subject? If not, why not?

The Honourable Mr. J. Crerar : (a) The law as hitherto interpreted precludes persons other than barristers of England or Ireland or members of the Faculty of Advocates in Scotland from being appointed as permanent Chief Justices of High Courts. There is, however, no bar to the appointment of Civilian Judges to act as Chief Justices.

(b) Government are aware that exception has been taken in the Press and in public meetings to the provisions of the Bill.

(c) The Bill is the result of consultation between the Government of India and the Secretary of State.

(d) Government are not prepared to lay the correspondence on the table.

(e) The Government of India are in agreement with the amendments included in the Bill.

(f) The Honourable Member is referred to the answer given by me to part (b) of question No. 155 asked by Mr. Gaya Prasad Singh on the 5th September 1928.

LEAVE AND PENSION RULES FOR INFERIOR SERVANTS OF THE GOVERNMENT OF INDIA.

482. ***Mr. C. S. Ranga Iyer :** Will the Government be pleased to state if they propose to give the employees of the Government of India classed as menials and whose service is regarded as "inferior" the same privileges as regards leave and pension as are given to the employees whose service is regarded as "superior"? If "yes", when? If not, why not?

The Honourable Sir Bhupendra Nath Mitra : The Government of India are actively considering what reasonable amelioration of leave and pension terms they can afford to give to their inferior servants, and hope to reach a decision on both issues within a year. They are not prepared to grant them the same leave privileges as are now enjoyed by their "superior" servants, because these have been shown by experience to be in certain respects unduly liberal. Till the Classification Rules are published, the Government of India have themselves no power as regards pensions, beyond undertaking to continue the existing temporary increases in small pensions till 31st October, 1929; but they intend in the meantime to formulate pensionary terms for their inferior servants in the light of what Provincial Governments, within whose limits the majority of their inferior servants settle on retirement, grant, under their recently conferred powers, to the inferior servants under their control.

THE CHANDPUR-BIJNOR-MUZZAMPUR-NARAIN RAILWAY.

483. ***Mr. C. S. Ranga Iyer :** Will the Government be pleased to state :

(a) When the new railway construction in District Bijnor (United Provinces) will be complete?

- (b) How many miles this new extension from Chandpur will be covering ?
- (c) What progress has been so far made ?
- (d) What is the plan of the new construction ?
- (e) Whether it will connect besides Bijnor (the district headquarters) that part of the district where the annual Mela (fair) is held on the banks of the Ganges which thousands of people attend ?
- (f) If the answer to (e) is in the affirmative, whether Ganj, the neighbouring village for the Mela, will have a railway station ?
- (g) Whether the Government are aware Ganj is a place of great religious importance with " Vidur Kuti " (the hut of Vidura of Mahabharat times) in its neighbourhood ?
- (h) Are the Government aware that the building of a station in Ganj will be a paying proposition besides giving facilities to pilgrims ?

Mr. A. A. L. Parsons : (a) The Chandpur-Bijnor-Muazzampur Narain Railway is expected to be completed by the 31st July, 1929.

- (b) About 37 miles.
- (c) About one-fifth of the work has been completed.
- (d) The alignment is *via* Haldaur, Bijnor and Kiratpur to Muazzampur Narain.
- (e) and (f). The line will not pass through Daranagar Ganj.
- (g) Government have no information on this point.
- (h) The alignment which appeared to be most profitable was adopted. So far as I am aware, no proposal for joining up Daranagar Ganj was investigated, and it seems unlikely that it would be profitable since the distance to Jhalu from Bijnor is only some seven miles.

PROTECTORS OF PILGRIMS.

487. ***Mr. Anwar-ul-Azim :** Will Government be pleased to state whether it is a fact that the Protector of Pilgrims in all the Provinces is the *de facto* head of the Pilgrim Department and that he has no direct control or any say in the matters of recruitment for permanent positions under him ? If so, why ?

Mr. G. S. Bajpai : There is a Protector of Pilgrims at each of the three ports, Bombay, Karachi and Calcutta. He is not the head of the Pilgrim Department. Protectors of Pilgrims at Bombay and Karachi are consulted before making appointments under them.

RULES REGULATING THE APPOINTMENT, WORKING AND DISMISSAL OF VENDORS EMPLOYED AT RAILWAY STATIONS.

490. ***Maulvi Muhammad Yakub :** (a) What are the rules for the appointment, working, and dismissal of the vending licences at stations ? Are they the same on all Railways, or is there any difference ?

(b) Do these licencees have any stability or are their licences liable to be cancelled at the will of the officers ?

(c) Are Government aware that these licencees have to spend a lot on the purchase of the crockery, utensils, etc., before taking up the work ?

Mr. A. A. L. Parsons : The rules vary on each railway. I am seeing if I can obtain for the Honourable Member information on the subject ; it is not at present in the possession of the Railway Board.

LICENCES FOR SELLING PAN AND CIGARETTES AT RAILWAY STATIONS ON THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

491. ***Maulvi Muhammad Yakub :** Are Government aware that during the time Mr. Flowerdew was Divisional Superintendent in Moradabad Division, it was ruled that the licence for selling pan and cigarettes at stations be reserved for retired employees, such as signallers, ticket collectors, guards, etc., who had no extra income while station masters, goods clerks, parcel clerks, etc., were excluded from this benefit, while catering and other such licences were left with those who have experience of the job ?

DISCHARGE OF CERTAIN VENDORS EMPLOYED AT MORADABAD STATION ON THE EAST INDIAN RAILWAY.

492. ***Maulvi Muhammad Yakub :** (a) Are Government aware that the Hindu and Muhammadan vendors of eatables at Moradabad station have been turned out ? Is it a fact that the Muslim vendor was an *ex-guard*, who was injured in an accident, while the Hindu vendor was an old experienced *halwai* who holds several shops on the Oudh and Rohilkhand section ?

(b) Is it a fact that this Hindu vendor wanted some more rooms for his catering, store, etc., which were refused to him but have been allowed to the new vendor ?

TEA VENDORS AT STATIONS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

493. ***Maulvi Muhammad Yakub :** (a) Is it a fact that several tea vendors (who had to get new counters and stalls prepared at a heavy cost) at stations are being turned out in the Moradabad Division and are being replaced by new vendors ?

(b) Do Government propose to provide counters, stalls, crockery, catering utensils, from Government store, so that these vendors may not have to suffer such heavy losses when being turned out ?

Mr. A. A. L. Parsons : I propose with your permission, Sir, to reply to questions Nos. 491 to 493 together. Government are not acquainted with the position in regard to vendors in the Moradabad Division, but will obtain the information for the Honourable Member from the Agent of the East Indian Railway.

ALLEGATIONS AGAINST RAI SAHIB RALLA RAM, RETIRED STATION MASTER OF HARDWAR.

494. *Maulvi Muhammad Yakub : (a) Is it a fact that Rai Sahib Ralla Ram, the retired station master of Hardwar and the holder of the catering licence at the Lhaksar station, took a lot of his friends along with his sons, and heavy luggage, in his son's marriage party from Hardwar to Amritsar, or, Lahore without tickets possibly in a second class carriage, and got one extra second class attached to the train from Hardwar and travelled both ways without tickets ?

(b) Is it a fact that an enquiry was made and the whole matter came to light, but the case was dropped ?

Mr. A. A. L. Parsons : Government have no information. They are drawing the attention of the Agents of the East Indian and North-Western Railways to the allegations in order that any action that may be necessary may be taken.

SALE OF CINDER BY THE EAST INDIAN RAILWAY.

495. *Maulvi Muhammad Yakub : Are Government aware that for the sale of cinder on the Oudh and Rohilkhand Railway, time was allotted to contractors and now the East Indian Railway sells it through its highly paid officials ? Which of the two courses shows a profit to the Railway ?

Mr. A. A. L. Parsons : I am making enquiries from the Agent of the East Indian Railway and will communicate with the Honourable Member later.

OPENING OF NEW STATIONS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

496. *Maulvi Muhammad Yakub : Are Government aware that some new stations were proposed to be opened in the Moradabad Division and the buildings were even constructed on the sites, but they are not yet opened, while the buildings of others are lying in an incomplete stage ? Will the Government say why this heavy expenditure was incurred for buildings for stations which have not been opened ?

Mr. A. A. L. Parsons : The Agent is being asked to report what the exact position is, and I will communicate with the Honourable Member on receipt of his reply.

UNCOVERED OVERBRIDGES AT HARDWAR AND LHAKSAR ON THE EAST INDIAN RAILWAY.

497. *Maulvi Muhammad Yakub : (a) Are Government aware that the overbridges at Hardwar and Lhaksar stations are uncovered and there is no shade to protect the passengers during the rains, *loo*, and strong cold winds during the winter ?

(b) Do Government propose to arrange to provide earlier coverings, etc., on them ?

Mr. A. A. L. Parsons : Government are not aware of the exact position on these stations. They are sending a copy of the Honourable Member's question to the Agent of the East Indian Railway, who will no doubt consider whether the arrangements require improvement.

* WATER SUPPLY AT RAILWAY STATIONS.

498. ***Maulvi Muhammad Yakub** : (a) Are Government aware that the water supply at stations on the Railways is still insufficient, and no one cares for it ? Do Government propose to order an increase in the number of watermen, to ensure a sufficient supply of pure water on the train as well as on the stations, and to charge the Travelling Ticket Examiners, Crews, and other railway employees to see that there is sufficient pure water at times on the platform ?

Mr. A. A. L. Parsons : I am unable to accept the Honourable Member's suggestion that the improvement of the arrangements for water supply at stations is being disregarded. On the contrary it is a matter which is continuing to receive the special attention of all Railways. For example, the North-Western Railway have employed 500 additional watermen this year over and above the hot weather scale of last year, and tube wells have been installed at 32 stations. On Railways as a whole many extra taps and hundreds of improved type covered *ghara* stands have been erected, while in certain instances special water inspectors have been engaged. Opinions regarding travelling watermen vary on different Railways. For example, the Bengal Nagpur Railway, which is among those which have tried this experiment, have come to the conclusion that water arrangements in trains are not satisfactory, and their local Advisory Committee have concurred with them. Consequently, they have returned to the system of providing watermen at stations at convenient intervals. I should add that this, as well as other matters affecting the comfort of the third class passenger, will shortly be discussed with the Central Advisory Council for Railways.

TIMINGS OF THE MORADABAD-SAMBHAL BRANCH TRAIN SERVICE.

499. ***Maulvi Muhammad Yakub** : (a) Are Government aware that the present times of the Moradabad-Sambhal branch train service are highly inconvenient for the travelling public of both the places ?

(b) Are Government aware that owing to the bad times of the train nearly half a dozen motor buses and motor cars have been introduced between the two places ?

(c) Do Government propose to direct the authorities concerned to alter the timings according to the convenience of the travelling public ?

Mr. A. A. L. Parsons : The Honourable Member's question is the first indication that Government have received that the timings of this service are not convenient, and that competition by road motors is therefore being encountered. They cannot themselves undertake the arrangements for timetables, but are asking the Agent to have the matter looked into.

THE PUBLIC SAFETY (REMOVAL FROM INDIA) BILL—*contd.*

Mr. President : The House will now resume further consideration of the following motion and amendments moved on the 10th September, 1928 :

Motion of Mr. J. Crerar that the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India, be taken into consideration.

Amendment of Mr. Amar Nath Dut: that the Bill be circulated for the purpose of eliciting opinions thereon.

Further amendment of Sir Hari Singh Gour that the Bill be referred to a Select Committee consisting of Mr. Fazal Ibrahim Rahimtulla, Sir Victor Sassoon, Nawab Sir Zulfikar Ali Khan, Mr. S. Srinivasa Iyengar, the Honourable the Home Member and the Mover, with instructions to report within three days, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.

Sardar Bahadur Captain Hira Singh Brar (Punjab : Nominated Non-Official) : Sir, to my mind, no man in this House, who has a little interest or a little love of his country at heart, who feels the pain of those poor cultivators who work in the fields and those working classes and depressed classes and feels their pain like his own, can do anything but accept this measure which is meant to protect him from a curse which is expected to disturb the peace and the comforts that he now enjoys. Well, Sir, the objection to the Bill is that it is against the tradition and culture of the Indian people, and I hope the Bill will not be opposed by the Honourable Members. But there may be some people here who dislike, I am sorry to say, the British connection ; there may be very few, or perhaps there may be one or two only, who are as afraid of the British connection or the British Empire as a bull is afraid of a red rag ; I do not know why. We have got to live here ; we have got to live under the Government ; we have got to get protection ; if we have got to live together and co-operate, I do not see, what can be the reason, for not giving such a small power to the Government (*An Honourable Member* " Oh ") to deal with those inhuman and barbarous people called Red Agents, the Bolshevik Agents. But even in their case, Sir, if our friends have real sympathy for our own country, even if they have a hatred for England, they ought for the sake of their poor untouchables and for the sake of their poor working classes and for the sake of their poor depressed classes, to support this Bill, for which, I am sure, those poor classes will be ever grateful to the House, which is responsible for their welfare and for their peace and contentment. This Bill, in my opinion, only seeks to kill those nasty germs which are expected to spread amongst those poor classes, whose trouble and pain, I am sure, is not felt by many Members here ; and if that poison is allowed to spread amongst the agricultural classes and the cultivators and in the classes from which the Army is drawn, I think the peace of India will be in great danger. What will happen, Sir ? When some of my friends are enjoying their life in big palaces, in those luxurious motor cars, and having their *chota peg* towards the evening, some people will walk in out of those classes, who have no palace—I think they have to find some way for living—then they will come forward and they will come with determination that they must share their motor cars, etc., with people who are not allowing them to enjoy their own peace. Now, what will be the remedy ? It will be too late then, Sir, to invent or to pass a Bill at that time. Why not kill that enemy now ? Why not kill that *Sampka bucha* now ? It is coming no doubt ; otherwise, I am sure, the House would not have been so alert. Why such a big row for such a small thing ? Well, Sir, it is your responsibility. Do not think that the responsibility lies on the Back-benches here. You will be responsible there. You will be far away from those places when the police, the unfortunate police, your Indian police, will be ordered and to open fire. Already they have had to do so at some places and they have had to destroy many lives, have had to kill many people. Does not loss of life and property and shooting

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on the railways on the Bengal Nagpur Railway at Kharagpur, and at Bombay, Madras and Calcutta occur very frequently? Instead of doing something about it, if you oppose this Bill, the opposite Benches will be responsible for that and they will be attacked severely for it. Well, Sir, you are responsible for that and I hope you will realise the responsibility which lies on you and you will not mistake to safeguard their interests, and you will not miss that chance. You belong to the intelligentsia class, you represent the people here. Think it over and over, do not be afraid that Mrs. Annie Besant or Mr. Horniman will be removed. If Mr. Horniman is removed, another Mr. Spratt or somebody else will come. Do not be afraid of that. I am sure the Government, which is dealing with these matters, and dealing with them tactfully and dutifully (Ironical cheers from the Opposition Benches) will not make a mistake and carry out such things which will displease the Honourable Members over there. They will try their best, and they are trying their best, as far as I can see, to please all the Swarajist Members and also all the other Members.

Well, Sir, the genius of India and the temper of those poor classes has no connection whatever with the pernicious, atheistic and destructive teachings of Moscow. The masses do not think about it, but there are a few Members here who have something wrong with them, some sort of brain fever, who are always afraid of these little powers. The powers are only going to be used to remove all that evil influence which is expected to spread in India. If you are responsible, and the responsibility lies on your shoulders, Government is sure to take severe measures, more severe than what is being introduced here now.

Well, Sir, I cannot myself imagine a greater calamity than to allow Bolshevism to spread amongst our poor classes. The damage which has already been done by these principles is great and we do not want any more damage done amongst those poor people. Almost in every country in Europe they have suffered from the same thing, and they have all found out the result is due to the Bolshevik agents, and then we have seen and know all that has occurred. Why then should we not protect all those poor people? The Honourable Members here know that the working classes are very simple. They are always ready and reasonable to compromise their grievances, and you know very well when it happens you are living in a village that they are not educated. They do not know all those tricks and they come ready to compromise and settle their case, but when some of our friends who simply like to stir up trouble among those classes come among them they like to see the *tamasha*. These people are stirred up by the foreigners and I would even go so far as to say by the Indians who join that barbarous organisation to cause revolution, but none of them would like to walk on that painful road.

We have already got some bitter plague, viz., the communal plague, I should call it in India, which causes great trouble every now and then, and if you add another disturbing factor to that plague, then the responsibility lies on you and you must take that responsibility.

Mr. President : Order, order. The Honourable Member is ignoring the Chair and addressing the Honourable Members.

Sardar Bahadur Captain Hira Singh Brar : We hope that the Members of this House realising the principles of this Bill will whole-heartedly

support the Bill and will not try to oppose it in any way as I have requested them in my humble request. Perhaps I am taking up the time of the House. (*Cries from the Opposition Benches of "Oh, no, go on, go on, this is your maiden speech and we are all very interested."*) Most Members would perhaps like to delay this Bill and in that sense I have spoken what I wanted to, but of course if that is the case I think some Honourable Members on the opposite side will do that for me, and so with these few words I support this Bill and hope that it will be sent to Select Committee as suggested by the Honourable Sir Hari Singh Gour.

Mr. Srish Chandra Dutta (Surma Valley *cum* Shillong : Non-Muhamadan) : Sir, I beg to move my amendment, namely :

“ That the following names be added to the Select Committee proposed by Sir Hari Singh Gour.....

Mr. President : Order, order. The Honourable Member is not entitled to address the House unless he is called upon.

Sir Victor Sassoon (Bombay Millowners' Association : Indian Commerce) : Mr. President, the group to which I have the honour to belong approves of the principle of this Bill, but does not necessarily approve of all the details of the Bill, and we therefore shall support the reference to Select Committee. I propose, therefore, to limit my observations to the principles of the Bill and endeavour to avoid a Select Committee speech on its merits and demerits.

The reception of this Bill by the Benches opposite has, I confess, somewhat confused me, but it may be that that is largely due to the number of political cross-currents that are now in existence. One thing may be noticed and that is there is a singular lack of knowledge as to the existence of similar provisions in other parts of the world. My friend, Mr. Ranga Iyer, who is generally so well informed, appears to think that if a measure of this sort were moved in the House of Commons, the very Speaker would faint with surprise. It is perfectly true that the measure that does exist in England only refers to aliens and does not refer to other members of the British Empire. But my Honourable friend Mr. Ranga Iyer went even further. He referred to that land—I do not want to misquote him—he referred to that land where “liberty runs riot”. He referred to the United States of America and he appeared to think that under no circumstances could any measure of this description find its place on the Statute-book of the United States. Unfortunately for my Honourable friend Mr. Ranga Iyer such legislation does exist in the Statutes of the United States (*Hear, hear*) in the form of emigration laws and such laws are based on even wider terms than occur in this Bill. In reply to the categorical question that Mr. Ranga Iyer put, I say that this Bill excludes Indian British subjects and if I may be allowed to answer his question, the American Act does not refer to or exclude any particular nationality at all. I should not at all be surprised, if, for instance, in the event of an American citizen going to Moscow and getting trained in their nefarious propaganda the American Government had the power to refuse to readmit him into America and to request him to return to his spiritual home. Further, I would like this House to appreciate this fact, and that is, that the legislation actually in force in Australia and in South Africa is based not on British legislation, but is based on American legislation and at the present time both South Africa and Australia have the right to refuse admittance to an Indian Communist

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and a British Communist or a Communist of any other kind. My Honourable friend Pandit Motilal Nehru seemed to me the other day to be very much exercised in spirit at what he considered to be an attack on the inherent rights of Britishers under this Bill, and in view of the apparent apathy of Members of this group to which I belong, he very nobly stood forward as the champion of the Britisher in India. (Hear, hear.) We are very grateful to the Honourable Member for his kind solicitude and we shall not forget his chivalrous action, nor shall we fail to call on him for help when we feel that the position of Englishmen in India is likely to be affected by legislation under the present constitution or any possible future constitution (Hear, hear) and I feel sure that we will not call on him in vain. (Laughter.) As regards the Englishmen in India, I mean the Englishmen established in India, we do not propose to pursue a policy of apathy and if this House will allow this Bill to go to the Select Committee we shall do our best, with the help of the Honourable Member, Pandit Motilal Nehru, to make it acceptable. But as regards the type of Britisher who is affected by this Bill, we do not consider that he needs any consideration. (Hear, hear.) We consider that the Communist or the Bolshevik Englishman is one who has foregone all claims to national consideration. He is a man whose views and whose principles are not bounded by the limitations of nationality. His views spread over the great horizon, over the great international horizon, a horizon of course of the Russian brand. I therefore do not consider that we need in any way protect him. As regards the wider question as to whether the mere fact that he is a Britisher should make us overlook the points that I have just mentioned, and whether in doing so, we are being inconsistent, I am prepared to take up that challenge. I maintain that Members of this group have always supported Indian public opinion against racial discrimination in South Africa. In supporting the demand which is now being brought forward by the Government what are we doing? We are merely consistently supporting our antipathy to racial discrimination and saying to this House, why should we not be allowed to send away a South African Communist when they are allowed to deport an Indian Communist. (Hear, hear.) I therefore maintain that our policy is absolutely consistent, as I hope it will always be.

This, however, is not the only apparently topsy-turvy attitude of criticisms of this Bill. Let me take the attitude of my Honourable friend Mr. Joshi.

Mr. N. M. Joshi (Nominated : Labour Interests) : I have not spoken yet. (Laughter.)

Sir Victor Sassoon : Judging from what my Honourable friend Mr. Joshi has told me in the past and judging from the amendments that I see standing in his name on the paper I understand that he does not approve of the principle of this Bill at any rate at the moment. I think I am therefore quite correct in assuming that he is at the moment in doubt until his doubts have been removed by my and other speakers' arguments when he would no doubt be entirely in favour of this Bill. I do not know why Mr. Joshi is against the Bill. Though I have not heard him speak, yet judging from the interruption he made during the speech of my Honourable friend Captain Hira Singh, he is apparently

dazzled by the prospect of sharing a motor car and a *chota* peg if Bolshevism is successful in India. Let me assure Mr. Joshi not only on behalf of Mr. Birla and myself, but on behalf of all the capitalists of India that we shall be only too glad to give a free ride in our motor cars and give a *chota* peg in addition. (Laughter.) Now let me draw Mr. Joshi's attention particularly to the remarks of Sir Hari Singh Gour. Sir Hari Singh Gour quite rightly pointed out that if Communist principles are to prevail in this country, then not only will the capitalists and upholders of religion in this country be "liquidated"—that is the proper technical Communist expression—but the trade unionists of the type of Mr. Joshi will be sooner or later efficaciously and possibly painfully eliminated. (Laughter.) Honourable Members must not laugh, it is not only Mr. Joshi who will suffer. The intelligentsia is by no means likely to escape unscathed and with the exception possibly of a few—again I quote a Communist technical expression—"declassed intellectuals" who may be considered necessary temporarily to carry on the administration of the State, they too may find themselves in the same position as the capitalists, the upholders of religion and Mr. Joshi.

Mr. K. Ahmed (Rajshahi Division : Muhammadan Rural) : Will they not destroy the idols of the temples, and orthodox Hindus will revolt against them ?

Sir Victor Sassoon : I might quote a phrase from a book I have been reading lately on the life of Lenin, and a book by
 12 NOON. no means unsympathetic to Lenin or his life. It says that not the least of the sacrifices demanded by the Revolution is the sufferings of all cultured classes. And yet here apparently, I hope I am wrong, we find Mr. Joshi opposing a Bill which in effect at least in one of its effects—makes it a policy of discriminating protection in favour of the indigenous agitator against the imported foreign product. Here is Mr. Joshi, who for months has been fighting tooth and nail against a body of Communists in Bombay who have been very ably advised by a British Communist—here is Mr. Joshi, in spite of the apparent lack of success of his efforts apparently—I say apparently till he makes a definite statement on the subject—apparently declining to be protected.

And here let me deal with a possible criticism. It may be said that however true these remarks of mine may be, there is no urgency for this measure, that there is not at the present time a large number of foreign or British Communists in India, and that we should wait until the number is sensibly increased before we take steps. Sir, the success or the failure of an army on the field of battle depends very largely on its Commander-in-Chief, it depends possibly in some cases entirely on the ability of the man who directs the battle. The Communists who are settled over here are not members of the rank and file : they are trained leaders, trained propagandists ; and the success which has attended the efforts of the Communist band, not only in the Bombay textile industry, in spite of the efforts of my friend Mr. Joshi, proves that their leadership—and I am perfectly prepared to give credit where credit is due—that their leadership has been by no means futile.

Mr. B. Das (Orissa Division : Non-Muhammadan) : What proof have you got ?

Sir Victor Sassoon : And I would like to say that the leadership which is directing the energies of the Red contingent in Bombay is not

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confining itself to Bombay alone. It is co-ordinating the disruptive forces throughout India. Every move is a move carried out under a well-thought out policy.

Mr. B. Das : How do you know ? Are you in their confidence ?

Sir Victor Sassoon : In spite of my friend Mr. Das's lack of appreciation of the poor brain that I may have, I can appreciate efficiency when I see it, and what I think is likely to happen is this ; that the success which has attended the efforts of the foreign element,—and in this case I call the British Communist element a foreign element, for it is foreign to India as it is foreign to Britain too—the success of this foreign element will naturally encourage them to strengthen the weak spots in their organisation by bringing out further help. It is because I want the Government to be in a position to break up this organisation before it has been able to establish itself, before it has been able to teach our Indian fellow-citizens how to carry on this poisonous work, that I maintain that this Bill is by no means introduced too soon, that it is not a moment too soon to put this Bill on the Statute-book.

Now, Sir, one naturally asks oneself, what is the solution of this riddle, this apparent desire of Members of this House to commit not political suicide but literal suicide. In my opinion the reason is a twofold one. In the first place, a convention has risen among the Benches opposite that no measure proposed by the Government can possibly be a good one.

Mr. Jamnadas M. Mehta (Bombay City : Non-Muhammadian Urban) : 90 per cent. of them are not.

Sir Victor Sassoon : And further that where a Bill is apparently a good one that is all the more reason to treat it with suspicion as containing some Machiavellian intent.

Mr. Jamnadas M. Mehta : Quite right.

Sir Victor Sassoon : That I think is the first cause of the opposition from Members of this House who come from a class which one would naturally assume would be in favour of the principle of this Bill. Now what about the second cause ? I think the second cause is this—a complete lack of belief that a country like India containing millions of small landholders and peasant proprietors all of whom are imbued with the very strictest and deepest religious principles,—a lack of belief that such a land could possibly prove favourable soil for this Bolshevik seed, and that even if some misguided individuals were to be tainted by the Red poison, such a band could only constitute a small group of cranks, who would never be tolerated by the masses of this country should they say publicly what their real opinions and views were. I cannot disregard such an argument because I too have shared that view until very lately. I am not one of those men who have Bolshevism on the brain. I have not gone about assuming that in every rising against capital, in every expression of dissatisfaction against the Government, the Bolsheviks' hand was the cause. I do endeavour to look at such expressions of dissatisfaction in a cool, dispassionate way and attempt to analyse them, and I have great sympathy with the view which I have just given voice to, because until a very short time ago I shared that view. This House, Sir, may

be aware of the fact that my business interests necessitate my paying regular visits to China. Two years ago I had an opportunity of meeting in Canton supporters and members of the Nationalist Government of Canton and although I do not wish to boast to this Assembly I too was invited to lunch by men who in China are held in very high political repute. I think I must hasten to add, however, that unlike Mr. Ranga Iyer I was only offered a lemonade ! My nationalist friends said to me " You British people are saying that we are Red. We are not only not red ; we are not even pink ; we are Chinese. We are waging a war on the militarists of the North—a war to a finish—and we need help. We should be only too glad to receive help from you British. We have asked you to help us ; we have asked the Americans to help us ; we have asked the Japanese to help us ; but nobody has expressed themselves as prepared to help us except Soviet Russia ; so we have accepted their aid, and from them we have received munitions and arms ; we have received advisers, military and civil ; they have established military schools for us and schools of propaganda ; they have taught us administration and they have taught us efficiency. We are forced, if we are to succeed in our struggle with the North, to accept their help because you will not give yours to us. But because we accept their help, that does not mean that we accept their principles ; and in our opinion the people of China will no more absorb these foreign principles from Russia to-day than they have absorbed foreign principles from anywhere else in the past or likely to in the future—principles of this kind which are entirely antagonistic to the whole social fabric of China and its population ". That, Sir, was two years ago. I have returned only a few weeks ago from China. When I left the Assembly at Delhi I went straight out to China and there—not in Canton, but on the Yangtse River—Shanghai and Hankow—I again met and was introduced to nationalist friends who were high up in the counsels of the Government and some of whom were actually members of the Government ; and then I found they had a very different tale to tell. They told me that after their rapid success and advance on the Yangtse River—an advance, the success of which was almost unprecedented,—their Russian advisers were no longer prepared to continue in the same loyal and helpful manner as before, but insisted on calling the tune, and the tune was that China should develop not on the nationalist lines of the Nationalist Government, but on the internationalist lines of Soviet Russia. The Nationalist Government of China after investigation realised that through Soviet propaganda the part of China under their sway was riddled with small Communist cells and they further realised that when you are dealing with Communists you cannot hope successfully to convert them by ordinary methods of persuasion. As Mr. Ranga Iyer said when referring to the Roy letter, " It was the letter of a lunatic to a lunatic " ; and there was a good deal of truth in what Mr. Ranga Iyer said. According to my Chinese friends, Bolshevism is a form of madness like hydrophobia, and you can no more expect to argue with success with an avowed Red than you can expect successfully to argue with a mad dog outside this Assembly. They therefore decided that there was only one way of dealing with these Reds and that was the way in which the Reds would have dealt with them. They took the most drastic action. I was informed in Hankow by the General to whom that work had been allotted, that he had had to send soldiers not only to the towns but right into the villages to execute any Chinese Communists

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found there ; and in spite of this drastic action which has necessitated the execution of thousands of Chinese, the danger is by no means killed—it is only scotched. That is why, Sir, knowing as I do how in practice by allowing this movement free play, how quickly it gets out of hand, that I ask this House to follow the adage of my friend, Mr. Joshi, that prevention is better than cure. I want the House to realise that it is not only in China that the Red menace is growing, but that they have already planted their seed in Japan ; they are now concentrating on Japan. At the present time, I am told, one Katayana, known as the Japanese Lenin, who has been trained in Moscow, is either on his way or about to go to Japan to lead a concentrated attack on the forces of organised government. Knowing the Japanese Government, I do not think he will be allowed to go in unless he disguises himself ; but it may be that he will follow the example of his namesake, Lenin, and control it from outside Japanese territory, just as Lenin controlled the movement in Russia from Finland. That Russia is beginning to plant its seed in India is, I think, a fact that cannot be gainsaid. They began planting their seed in Japan while they concentrated on China and they will begin planting their seed here while they are concentrating on Japan.

With your permission, Sir, and with the permission of the House I shall say one word on the Roy letter. Mr. M. N. Roy is reported to have said that he did not write that letter. I am inclined to agree with him, and the reason why I am inclined to think so is that when the Chinese Government raided the Soviet Legation in Peking they seized a number of documents, some of which have been reproduced and translated and some of which I had an opportunity of looking at ; and among those documents were a series of instructions to Communist cells of the character of workmen's and peasants' organisations. Speaking from memory, one of those set of instructions was practically identical with the one which has been read as the letter sent by Mr. Roy ; so although, judging from the evidence that the Home Member has given, this document was interlined with manuscript alternations in the handwriting known to be Roy's, apart from that I should think that probably it was merely a letter of instructions which he indented for from the department of propaganda ; and therefore in this particular case it is probably absolutely true that he did not actually write it. I have read further letters of instructions ; one of them incidentally was a letter of instructions as how to deal with trades union leaders. After gaining their confidence, the letter showed how the Communist was to worm his way into power and after winning over trades union members to their side to denounce the trades union leader as a running dog of the Imperialist and bourgeois. But there is also another letter of instructions which says that members of the Communist party are entitled to tell any falsehood, to betray any friend in the interests of their cause ; and I therefore maintain that even if Mr. Roy had written that letter, if he thought it would be advantageous to his cause, he would not have had the slightest hesitation in calling it a forgery. As Trotzky wrote " Ilyitch Ulianov,"—I may say that that is the real name of Lenin—Lenin being only a pseudonym—" Ilyitch loved all the stratagems of war ; the throwing of sand in the enemy's eyes and getting the better of him by ruse ". Lies or betrayals and little pastimes of that description merely come under the heading of ruses of war.

Sir, we are dealing with a dangerous national enemy. This particular Bill only deals with those who come from outside India—who attempt to enter this country. It merely tells them to go or sends them away. I do not think even if I were an ardent supporter of the Communists, even if I were as intimate a friend of Mr. Spratt, as is Mr. Ranga Iyer, I would really consider that I had a legitimate grievance if I were told to leave this country. Let us assume that I wanted to go to Russia to advance arguments in favour of a capitalistic form of Government. Let us assume that I tried to collect those who were not quite satisfied with the present mode of Government there and encouraged them in their opposition, pointing out how much superior the standard of living in America under capitalistic regime is to the standard in Russia at the present day. I think that if I only found myself in receipt of a polite request from the Soviet Government to exercise my talents elsewhere I could consider myself extremely fortunate. I therefore ask this House not to throw out the principle of this Bill, nor delay it by asking for circulation but to let it go to the Select Committee. Let us approve the principle which says that we are not going to allow Communists to come to this country. I agree that the Bill has a number of faults. I agree that some of the provisions of the Bill are much too wide and that these must be put right in Select Committee, but I do appeal to this House not to throw out the Bill or pass a dilatory motion unless there are Members in this House who really are in favour of eventual Red rule in India. I cannot see how anybody, however suspicious he may be of Government intentions, can argue against this Bill going to Select Committee. If it comes back in a form which is disapproved of we can always throw it out and I am glad to say that my friend Pandit Madan Mohan Malaviya has told me that he has no objection to this Bill going to Select Committee.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions : Non-Muhammadian Rural) : I said I would agree to the Bill being referred to a Select Committee if certain vital matters will be agreed to in this House.

Sir Victor Sassoon : The principle of the Bill is to prevent Communist agents coming to this country. I am sure that my friend Pandit Madan Mohan Malaviya is not in favour of Red Communist agents coming to this country. As far as the details of the Bill are concerned regarding the prevention of other British subjects from coming into this country, that can be dealt with by restrictive clauses which can be put in in the Select Committee or when the Bill comes up for third reading.

Sir, I support the motion to refer the Bill to the Select Committee.

Lala Lajpat Rai (Jullundur Division : Non-Muhammadian) : I rise to oppose the motion made by the Honourable the Home Member that this Bill be taken into consideration. Before I proceed to give my reasons for my opinion or for my position, I want to dispose of a part of the speech made by my friend Sir Victor Sassoon. He talked of the immigration laws of the United States of America and South Africa and perhaps of Australia too. I wish there had been laws of that kind in India. I know something of the immigration laws of the United States. They have absolutely nothing to do with the principle of this Bill. They are entirely based on different considerations and on different principles and they were enacted long before Bolshevism came into existence at all. Therefore I endorse Mr. Ranga Iyer's statement that a law of this kind

[Lala Lajpat Rai.]

would be thrown out by the Senate or the Congress of the United States, in fact by any civilised Legislature (*Honourable Members* : "No, no.") Wait a minute please. What is the principle of this Bill—not to stop the coming into India of the Bolshevik agents as my friend wants us to believe, but the principle of the Bill is to authorise the Executive Government of this country to pass executive orders for the expulsion of certain people from this country. That is the principle of this Bill.

Sir Victor Sassoon : Is that not possible in America ?

Lala Lajpat Rai : That is not possible in America. On any complaint made to the immigration authorities, to the Department of Labour and Immigration in the United States, they at once issue a notice to the person or persons concerned to come and show cause. Not only do they allow the persons concerned to show cause, but they also allow them to be defended by lawyers. I know of a case from personal knowledge. Mr. Hardyal, one of the most distinguished Indians who visited America—of course you may not agree with his views—was once in the United States. He was served with a notice of this kind and he was allowed to appear before the immigration authorities and show cause why he should not be deported. He was defended by lawyers. Then, furthermore, there is a provision in the law of the United States of America that the orders of the Labour Department and immigration authorities can be questioned in a court of law, at least in the Supreme Court of Judicature in that country. They have not given the executive the power to send anybody away without any notice, without any cause shown and without any defence being put in, such as this Bill seeks to give to the executive here. If they wanted to expel all Communist agents that come into this country, the law should have been framed differently. I will come to that later on. Having disposed of that part of the speech of Sir Victor Sassoon, I will point out that there are no laws of this kind in any civilised country. Nobody has shown yet that such a law exists in any country. It perhaps exists in Fascist Italy. If that is the model which the British Government is going to adopt, then, I am afraid, I cannot congratulate them.

Now, I shall come to the actual measure before me. I oppose it because I do not consider it to be an honest measure. When I say that, I do not mean the slightest possible reflection upon the honesty of any individual member of the Government, but I do charge the Government of India as a whole with dishonesty of purpose in sanctioning the introduction of the Bill in the way they have done. No justification whatever has been made out for the introduction of this measure. I heard very carefully the speech of the Honourable the Home Member. What was the material that he placed before this House as justification for his asking this House to legislate on such a matter in such haste. He quoted a pamphlet that was the subject of litigation in the United Provinces of Agra and Oudh in 1924 in a prosecution against certain Bolshevik propagandists. He also quoted from the letter of M. N. Roy. He quoted from another document that was circulated in India. I agree with my friend Sir Victor Sassoon when he said that probably this letter was not written by M. N. Roy. The matter which is included in this letter has already been before the British public and also for that reason before the Indian public. It was included in a Blue Book or White Book, I do not remember which, that was issued at the time when the Russian thade

agents were expelled from England on the ground of having violated the terms of the Treaty which that Government had entered into with the Government of Great Britain. All these instructions which you find in the letter of M. N. Roy published by the Associated Press of India are to be found in those publications. There is nothing new in the letter. I therefore deliberately charge the Government with having chosen their time to publish this letter with the object of creating an atmosphere for this legislation. It was stated by the Honourable the Home Member that the letter came into this country or at least was written in December last and my friend Mr. Ranga Iyer asked why the Associated Press of India and the *Statesman* were not prosecuted for disseminating seditious matter, as that letter does contain seditious matter. I can give him the reason for that. The reason for that is that the letter was probably made over to the Associated Press of India by the Government for the purpose of publication. It probably remained in the Government pigeon-holes for some time. The Government have not given us any indication as to how they came into possession of this letter. This Government, clever as it is in intercepting letters in the Post Office, probably intercepted it in the Post Office and kept it in its pigeon-holes for eight months to be used at the opportune time for legislation of this kind. How can they then prosecute the Associated Press of India or the *Statesman* for a thing which they themselves asked them to do? I submit, Sir, that was an act of dishonesty on the part of Government to have kept that letter for so long, not to have published it before, but only just a few days before this Bill was introduced in this House.

Now, Sir, what I want to submit to this House is that those publications are not covered by this Bill. This Bill will not touch them. This House is asked to enact a measure which will authorise the Government by executive order to expel Communists; so that part of the case put by the Home Member, *viz.*, relating to those documents, was perfectly irrelevant, and has absolutely nothing to do with the principle of this Bill. Then, Sir, we come to the actual agents, the Communists that have come to this country. So far as we know and as we were informed in that book called "India" written by the Director of the Publicity Bureau, there were two persons suspected to have been sent by the Russian Government or by Communists for the purpose of propaganda in this country. One of them has been in one of the jails of His Majesty and has been taking his repose ever since he came into this country. If he has been carrying on any propaganda from the jail, of which I do not know, then I submit, the responsibility lies on the Government, and not on "Comrade" Allison or anybody else. The other gentleman whose name has been taken is Mr. Spratt. My friend, Mr. Ranga Iyer, wants to give him a certificate and to make us believe that he is an angel. My friends on that side, the capitalists, want us to believe that he is the very embodiment of a devil. I express no opinion, Sir, on either side. I do not know that gentleman; but I think it is absolutely unreasonable, very absurd, to believe that a man of that kind, whatever may be his capacity, could be instrumental in bringing about all these strikes and all these "disturbances" upon which my friend, the Honourable the Home Member, and my friend, Sir Victor Sassoon, rely so much. Sir, this is the only material which has been placed before this House in justification of this sweeping measure, giving power to the executive to summarily expel any person suspected of being a foreign Communist without any trial in any

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court of law. I submit this is absolutely insufficient material for us to accept as the basis for this legislation.

My friend, Sir Victor Sassoon, made a great deal of the maxim that prevention is better than cure. But does he not know that principle of jurisprudence that no penal law should be enacted unless there is actual necessity for it ?

Sir Victor Sassoon : But there is actual necessity for it.

Lala Lajpat Rai : I submit, no material has been placed before this House to justify the enactment of such a measure. There are laws enough in this country under which anybody committing the acts which have been detailed in clause 2 can be punished or deported. There is Regulation III of 1818—and it was said on the floor of this House that that Regulation applies to everybody in India. Anybody who comes into India makes himself liable to the criminal laws of this country, be he a Communist or otherwise. If he comes here and commits any of these acts which are detailed in clause 2, I submit the Indian Penal Code is wide enough to punish him : and therefore there is no reason why the Indian tax-payer should be burdened with the cost of his expulsion from this country. I could have understood one thing, which the Government could have easily done and in which perhaps we might have supported them. That would have been this, that, if a person was convicted by a court of law of any such offence, he should be ordered to go out of this country instead of being fed at the cost of the Indian tax-payer in India. If the Government wanted authority of that kind, they could have proposed a measure for making a provision of that kind either in the Indian Penal Code or in the Criminal Procedure Code or even in Regulation III of 1818, and it would have been a very simple thing to have accepted it ; but Government have not done anything of that kind. They have proceeded to state in elaborate detail all kinds of beliefs and acts in clause 2 and to ask for executive authority for expelling men suspected of entertaining such beliefs or doing such acts. Sir, I will break no bones by stating to this House that this is not a measure really intended against foreign Communists only. It is only the thin end of the wedge. It is really directed against Indians themselves, Nationalists as well as Labourists. The foreign Communist will go away, will be turned out at the cost of the Indian tax-payer and will be taken to the British Isles or anywhere else, being comfortably berthed in a P. & O. steamer, but if this House accepts the principle of this Bill and accepts clause 2, that acceptance caused at any time be utilised for the purpose of prosecuting Nationalists and others who want Indian economic advance and political freedom. That is really the motive at the back of this legislation, which, I would ask my Honourable friends to consider, is not a measure intended against foreign Communists only. It is only the thin end of the wedge what the Government are aiming at is to seek the approval of this House to prosecute and punish all those whom by hook or by crook they can bring within the purview of that clause or who may be charged with acts mentioned in that clause. Well, Sir, look at that clause, how wide and sweeping it is. It is all very well for Sir Victor Sassoon to say that this can be changed in Select Committee. We want to know if it is not the case that that clause gives a fair indication of the mind of the Government as to what they want to do. Of course my friends may change the clause in the Select

Committee, but we are at present discussing the form of the Bill as it is. Sir, let us look at clause 2. My friend, the Honourable the Home Member, made a distinction between Communist doctrines and Communist action. You will see in clause 2 that it is not Communist action that is proposed to be punished or dealt with. It is the advocacy directly or indirectly of the doctrine stated in that clause. The words are : " whoever directly or indirectly advocates the overthrow by force or violence the government established by law in British India '."

That is an offence under the Indian Penal Code, and the Government is perfectly entitled to prosecute anybody, Indian or foreigner, for that offence in a court of justice and to take the verdict of that court, whether it be imprisonment or even death, but what is to prevent the Government from saying under cover of the phrase " directly or indirectly advocating the overthrow of the Government " that Mr. Srinivasa Iyengar and Mr. Jawaharlal Nehru, who advocate complete independence, come under the category, although they do not really mean the overthrow of the British Government by force or violence. They may say, " We want a peaceful revolution ", but the Government will say that they are not to be believed, because the only way for them to get complete political independence is by force or violence. That may be considered fair argument to use in regard to them. So the Government want the approval of this House to the proposition that all those who directly or indirectly advocate the overthrow of the British Government by force or violence are guilty of Communism ; so that such a person, by being called a Communist although he may not be a Communist at all and may be only a political reformer or a socialist, may be brought under this clause. Then, Sir, let us go further. Under this clause to advocate " the abolition of all forms of law or organized government " is evidence of Communism. I do not know whether the Government of this country or the gentleman who drafted this Bill know that the Communists are not opposed to all forms of law or organized government, and that they have an organized government of their own, and that they only want all countries to adopt that form of government. Whether it is good or whether it is bad, it is an organized form of government, and it is such an organized form of government that even the mighty British Empire wants to come to terms with that Government. They once recognized the necessity or the desirability of coming to terms with that Government, by entering into a treaty of peace and trade with them. They have of course since dissolved that treaty by virtue of certain alleged breaches of that agreement or treaty which I need not state. Every civilized Government in the world to-day is anxious to enter a treaty or pact of trade with that organized Government of the Society Unions of Russia. Honourable Members may have recently read in the papers that the Soviet Government has recently signed the Kellogg Anti-War Pact. The civilized Governments of the world have not treated the Communists as if they were " mad dogs " and outcasts. There are other Governments which are in no way better than the Communist Government of Russia.

An Honourable Member : Question ?

Lala Lajpat Rai : Of course you will question, because you are interested in questioning it. But as a fact they are in no way better. They are all desiring to push on their trade with Russia, to sell their manufactured articles, to get Soviet money, to enter into trade relations with that " damned " Russian Government which my friend thinks is so

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abominable. I may at once say that I am neither a Communist nor one having sympathy with the Communist doctrine. But at the same time I am not an Imperialist as well, and if the question arose of choosing between an Imperialist and a Communist Government, I do not know which I should choose, for both are equally bad and vicious and both are equally destructive of the rights of others. Capitalism is only another name for Imperialism. It is capitalistic Imperialism upon which my friends fatten here in India by exploiting the masses of this country. To me it seems absolutely blasphemous for them to talk of the poor cultivators, the poor labourers, the poor peasants of this country. Are they not sucking the blood of these peasants? Have not their own authorities told them so in their documents? Dr. Harold Mann has said that what the cultivator, the labourer and the peasant suffer from in India is an empty belly. Who is responsible for the empty belly? Those very same people who carry away millions of money out of the country which they have earned from those same peasants and with the help of Indian labour. And they do so with the help of this Government which has been compelled by those very capitalists to introduce this Bill. As my friend Mr. Ranga Iyer said, they are the people interested in keeping these Communists out and with investing this Government with executive powers to treat these people summarily. I am quite prepared to admit that Communism and Imperialism stand at two opposite poles. I have absolutely no doubt that the success of Communism in this world will mean the destruction of all empires. I am, therefore, satisfied that this effort on the part of this Government and on the part of my capitalist friends is perfectly natural. They want to suppress Communism. But why should they say that they are doing it in the interests of this country? Why import into this discussion matters which are not included in the Bill itself?

My friend the Honourable the Home Member and also Sir Hari Singh Gour waxed eloquent upon the protection of religion. My friend, whom, by the by, I congratulate on having got a seat amongst the gods, said he was not in love with bureaucracy. But evidently the bureaucracy has fallen in love with him—let us hope that it will last—and that explains his present attitude. The other day he was taunting some Members of this House with dishonesty in opposing his Bill for dissolution of Hindu marriages for fear of the voters and electors. I think my friend has made himself safe for all time to come for a permanent seat in this House and therefore he is no longer afraid of any voters or electors. That is why he is so anxious to uphold the principle of this Bill. I congratulate him. But, Sir, coming to the point, he talked of religion. Sir Hari Singh Gour talking of religion! That was quite a surprise to me, because only a few months ago I read a document signed by that gentleman in which he framed the constitution of a League for modernizing India which asked all Indians to adopt all western methods and do away with religion altogether. I know he will deny it, because he is accustomed to doing that.

Sir Hari Singh Gour : Can my friend produce that document?

Lala Lajpat Rai : Yes, I will, just as I produced a telegram which he sent to me in favour of the boycott of the Simon Commission and the sending of which he denied when I quoted it from memory. He has got into that habit and we on this side of the House have ceased to

take him seriously, both when he opposes or supports us. Therefore it is a surprise to me to hear Sir Hari Singh Gour pleading for this Bill in the name of religion. I do not know what his religion is. There is a religion known as Mammon worship ; there is a religion of God worship, which of course pious Hindus and Mussalmans follow. I do not believe that he follows any God worship. He follows Mammon worship. And then again, the British Government talking of the protection of religion in this country ! Why they have destroyed the very foundations of religion in this country by their very existence and by allowing forces to work in this country which are anti-religious. Religion has different meanings with different persons. Even Communists believe and allege that Bolshevism is a religion. If that is the meaning to be attached to religion, then perhaps my friend is perfectly religious and I am prepared to apologize for saying he has no religion. Religion has different forms—what form was meant when an appeal was made to the Hindus and Mussalmans of this House to rouse their passion on behalf of religion because the Communists attacked their religion. Well, Sir, if the Communists attack any religion, they attack the conventional Christian religion. They do not attack religion altogether, and as I have said, they do not attack every organized form of government.

Then, Sir, my Honourable friend the Home Member and my Honourable friend Sir Hari Singh Gour talked of Hindu culture and the structure of society. But, Sir, if there is any Hindu in this House who is putting the axe at the structure of Hindu society it is Sir Hari Singh Gour. I welcome his efforts to reform the Hindu religion and Hindu customs, but he should not talk of the structure of Hindu society. The structure of Hindu society which at present exists he wants to do away with. He wants all Hindus to adopt the European hat. He wants all Hindus to eat with fork and knife and to adopt European manners. And then he talks of the structure of Hindu society. It is very strange to me. I cannot understand it. But of course an advocate can use any argument that comes to him at the time of arguing a case.

Then, Sir, my Honourable friend the Home Member talked of restoration and reconstruction after the war. What is he going to restore in India ? Is he going to restore to us our pre-war poverty which has increased ten-fold since ? What is he going to reconstruct in India by means of this Bill ? Is he going to reconstruct Hindu society or Hindu religion ? I submit, the claim is absolutely preposterous and those claims do not find any mention in the Bill. I would have understood the honesty of the Government if they had simply said that this Bill is designed to kill Communism. In that case they should have defined what Communism means. They have not adopted that course for very good reasons, because if they had adopted that course they would have been forced to confine themselves to those particular things which are included in the term "Communism". This clause 2 is much more sweeping and much wider than what is meant by the expression "Communism". They would not have been able to condemn those who oppose organized government because the Communists are not anarchists. My friend Sir Hari Singh Gour also talked of that. He has evidently never read a book written by Bertrand Russell about the three forms of freedom, Syndicalism, Anarchism and Communism. It is Anarchism which attacks all forms of organized Government, not Communism. It would be more

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profitable if my friends would first make themselves masters of that subject before making general statements on the floor of this House to the amazement of those of us who know something of the subject. This is not an honest measure. If it really aimed at expelling Bolsheviks and Communists only, it should have said so in the Bill itself. The Bolsheviks are not Anarchists. It has become the fashion for responsible people to make all kinds of wild statements against the Soviet Government of Russia. But Governments themselves do not want to take that line of attitude. Otherwise it will be impossible for them to enter into any agreement with the Soviet Government. Honourable Members here can talk in any way they like. The Communists can call Imperialists mad just as my friend Sir Victor Sassoon has compared the Communists with mad dogs, they can charge the Imperialists with injecting poison into the system of the body politic. But no responsible Government, either the British or any other, would talk of that Government in that way, because they still hope to enter into trade contracts and trade agreements and trade treaties with them and make money out of them. Sir, this money business reminds me of the remark made by my friend Sir Hari Singh Gour of the money that was received from Moscow by my friend Mr. Joshi. Well, Sir, he forgets that Great Britain gets money from Moscow, wants to get money from Moscow, and the only trouble is that Moscow will not give them enough money. There are men in the House of Commons sitting in the seats of the mighty that have received money from Moscow and they have not been turned out either from the House of Commons or from their country. Some of them will probably be adorning the Cabinet in the next Labour Government. I think my friend would be only too happy to get money from Moscow if he could. If a Bolshevik agent in this country were placed before a court of law for trial, my friend Sir Hari Singh Gour would be the first man to ask for Rs. 2,000 a day for defending him and getting him acquitted. What has this absurd talk about money from Moscow to do with this Bill? I may also remind him that his statement about strikes and "disturbances" is also entirely wide of the mark. It is his deplorable ignorance of the history of the world and of the history of the development of trade unions and trade unionism, of the Labour movement in the world, that is responsible for his saying that this particular phase which has been prominent in this year in this country marks the activities of the Communists or the Bolsheviks or is evidence of their activities in this country. In all times in the world, whenever there is any reform movement, whenever there is a preparation for framing a constitution, in pre-constitution days there have been such disturbances. What was the state of England in the days when the Reform Bill was on the anvil? What were the conditions in other countries in the days when their constitutions were being changed or when trade unionism was being developed? The history of trade unionism if cursorily studied even (that history has been written by Mr. Sydney Webb, who was a Member of the Labour Government) would have shown him that what is happening in India is nothing, absolutely nothing, as compared with what had happened in Great Britain or in other countries in Europe; and that it is no indication that it is due to foreign influence or the influence of foreign Communists or foreign agents. The conclusion is entirely wrong. It is due, Sir, to the empty belly,—hunger. My friend

may not feel that it is due to hunger ; the Government Benches may not feel that it is due to hunger ; but we, who know those people, who work amongst them, live amongst them, we know that it is that abominable thing, hunger, which is at the bottom of this unrest and which creates these strikes. I have never made it a secret and have said so in this House and from the platform and in the Press, that indiscriminate strikes, strikes not well grounded, should not be undertaken. I am not in favour of strikes ; I am not in favour of strikes being started on small pretexts. My friend Mr. Joshi who knows much about these strikes can testify that I have spoken in Bombay, which is the home of organised labour, that they should not indulge in these strikes too often and too lightly. Hunger however makes that advice unacceptable. It is hunger which compels them to resort to these strikes. The textile strikes which my Honourable friend Sir Victor Sassoon referred to are at the bottom of this Bill ; it is to prevent these strikes, to isolate India altogether both in the political field and in the economic field, from the rest of the world, to make it entirely helpless that accounts for the introduction of this Bill. That is what this Bill is intended for. Is it to frighten away people who want to investigate into labour conditions in this country, who want to investigate into political conditions in this country, from visiting this country ; it is to keep them away, so that they may keep away lest this law should be used against them and they may be turned out with ignominy.

Sir, this Bill, therefore, is not an honest measure ; it is a dishonest measure on the part of the Government ; it is an indirect attempt to get the verdict of this House to principles to which they would not agree if they were plainly and honestly put before them. Look at the wording of this Bill " conducive to bring about that result ", " is a member of any society or organisation " and so on. Look at the whole wording of the Bill. That will show that it is an attempt to get the verdict of this House, that all that is contained in clause 2 practically amounts to Communism or Bolshevism. The causes which my Honourable friend the Home Member stated was the basis of this Bill are not stated in clause 2. Very few of them are stated there. This clause goes much further. It practically wants the approval of this House to all that is contained therein whether Communistic or not, so that if we once approve the principle of this Bill, of this clause, as it stands, and if the Government wants to prosecute and punish our own countrymen who want political independence or economic independence, or who advocate political independence or economic independence, they may say to this House, " You have accepted the principle of this Bill, you have accepted the principle embodied in clause 2. How can you object to prosecution and punishment of your people on the same basis and on the same grounds ? " Once the principles of this Bill are accepted, none of us here is safe, because in the opinion of the Benches opposite every one of us is a Bolshevik. Anybody who is not in favour of the present British Government of India, anybody who is not in favour of the present system of Government is a Bolshevik. I see Anglo-Indian papers ; I read them very often ; they call us Communists, Bolsheviks. In private talk too, people say " He is a Bolshevik ". Practically what the Government wants is moral sanction for anything they might do hereafter in order to involve the Members of this House and those who are not inside this House but who advocates a better system of Government for

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their country in trouble. It is in order to prosecute and punish them that we are asked to pass this measure. I do not care if anybody is punished and prosecuted after fair trial, after a trial before a court of justice. But, Sir, I am very suspicious, extremely suspicious of the intentions of an executive Government when they want to be invested with judicial powers. It is a most dangerous thing. I would beg of the Members of this House not to invest the executive Government with Judicial power in the way this Bill proposes to do. It gives power to the Government to judicially determine whether any person is guilty of acts stated in clause 2, and after judicial determination, in camera and in Executive Council they can expel anybody. This is a most dangerous power which any Legislature could give to an executive Government ; I also beg of the Members of this House not to think that they can improve this Bill in the Select Committee. The evil lies in the root of the Bill. The Bill practically is for the summary expulsion of people from this country and the Bill has to be radically changed. It will be impossible to change it in the Select Committee. Moreover, I submit, Sir, that this Bill is not necessary. They have got all the powers they need and even more. Why should they multiply their powers from time to time ? There is enough law already in their hands by which they can effect the purposes mentioned in this Bill. Sir, I want to appeal to the Members of this House to remember that this Government, perhaps any executive Government, but particularly this Government as it is constituted to-day, is not fit to be invested with these powers. Don't I know how these powers have been exercised from time to time in the interests of " law and order " ? Don't I know that the Government have confined people without trial simply for administrative convenience ? Was not that stated in the Bengal Legislative Council by a responsible Member of the Bengal Government ? And don't I know, by personal experience, my own personal experience, that the exercise of such judicial powers by the executive Government is absolutely arbitrary, unwarranted, unjust and unfair ? In the end they always say " Oh, we made a mistake ". They made the mistake, but the poor man had to suffer all the time ; his children had to suffer. They can make mistakes of this kind without qualm of conscience. I therefore beg to submit before this House, Sir, that first of all on general principle no executive Government is fit to be entrusted with this kind of power, but more particularly this Government is in no case fit for such a power. I do not want, Sir, to say anything unpleasant. This Government which has sanctioned, which has advocated, recommended, the constitution of a Commission composed entirely of Britishers, is not fit to be entrusted with any executive power of the kind specified in the Bill. I want to say from the floor of this House that this Government, although it contains three Indian gentlemen for whom I have some admiration, does not inspire any confidence in the country ; therefore it is the last Government which ought to be invested with powers of this kind. Their whole outlook is Imperialistic, narrow, depressive and suppressive. Their outlook is not at all wide, judicial, or patriotic. Sir, all this talk about the Communist danger and the Bolshevist danger is entirely out of the question. Is there any chance of the people of this country listening to those men who talk in Russian or English ? Can they understand them ? The danger may be this, that the men educated among the Indian communities may

become Communists. Go for these Indian Communists, punish them for their Communism and their Communistic views if you will say frankly that your real object is to get at the Indian Communists. Why do you proceed in this understanding—telling us that you want to proceed against foreigners only? You are practically bolstering up the law against Indians. It is a pretence, a disguise, to say that this Bill is not intended against us, that it is intended against Britishers, against foreigners. Why should we be saddled with the cost of sending to his home a Britisher or a foreigner? I happened to be once in Japan when the Japanese Government wanted to turn out two Indian revolutionaries. They did not give them passports or passages. They simply said, "Leave this country within such and such a date." Let the Government get a conviction before a court of law and then take power by amending the Indian Penal Code so as to turn the men out of the country. It is no use giving them passages or protecting their property. If a court of law convicts the man of any of these offences, it is no business of ours to give him a comfortable cabin and provide him with a passage to his own home.

Sir, I object to the whole principle of this Bill. It is an absolutely vicious Bill, it is a Bill that has not been drawn up with any care for public opinion, with any care for fairness or for decency. I therefore wish to warn Members of this House not to be carried away by all this sentimental talk of danger. We are in no danger from Bolshevism or Communism. The greatest danger we are in, is from capitalists and exploiters. Don't we all know that money comes from Lancashire, from British trade unions, to help the strikes so that Indian mills may not operate? It is not Moscow money alone that helps to foster strikes. Why blame the Bolsheviks only? They may be one of the forces that contribute towards strikes in this country, but there are others also. I therefore wish to submit that nobody should be carried away by this sophistry. He will be giving a dangerous weapon in the hands of Government to strangle all of us, to strangle our political aspirations if he accepts the principle of this Bill. This Bill is going to be applied to you now and hereafter by judicial and executive orders. Do not, therefore, be carried away by the idea that this Bill is intended for foreigners only. We wish all foreigners to leave this country and leave us free. We will always welcome them as friends, but not when they come here as exploiters. We are prepared to give them any amount of money they want if they will leave us free to fight out our own battles. You talk of protecting Indian labourers. We don't want any of your protection. All we want is freedom to develop ourselves on our own lines, even to fight among ourselves if necessary. Give us that freedom and go away. We don't care for your protection. You have not come here to give us protection. You have come to make money, money, money. You have come to fill your pockets with our hard-earned money. All hard-earned money goes into the pockets of foreign capitalists and foreign exploiters. We understand all these tactics, we understand all these disguises and devices. You might carry the Bill by a majority, but I beg of the Indian Members of this House not to support the principle of this Bill and not even to accept the motion for Select Committee, because it is impossible to convert this Bill into any useful measure in the Select Committee, unless the Bill is entirely changed.

I therefore, Sir, oppose the motion.

Sir Denys Bray (Foreign Secretary): Sir, the last time I confronted my Honourable friend, Lala Lajpat Rai, in debate I charged him with confronting me with a conspiracy of silence. How fortunate was I then, did I but know it! To-day he has confronted me with a barrage of words. At first as I listened to him, I found in my heart feelings of dismay. But as he advanced his forces against me, I took courage, for I found that the barrage of words was but a smoke screen (*An Honourable Member*: "You have taught us that.")—a smoke screen behind which he could conceal his barrenness of argument. Some of the assertions he made filled me, not with dismay, but with a certain sense of indignation—those words of his addressed to my Honourable friend, Sir Hari Singh Gour, on the score of his personal religion; those words addressed to you, Sir, that charge he made against the British Government and against Englishmen, on the score of tampering with the religion of this country. Heaven knows, our record in this country may be open to criticism. But on *that* score, Sir, I have never heard criticism before. (Loud Cheers from the Non-Opposition Benches.)

1 P.M.

He treated that well-reasoned speech of Sir Victor Sassoon with contempt; brushed aside Sir Victor Sassoon's well-authenticated statements; brushed aside the reference to the Acts in Australia and South Africa. And as for the law in the United States, he presented you with a travesty. By introducing the words "defended by lawyers" he sought to make the House believe that in the United States the deportation order goes before the courts!

Lala Lajpat Rai: I still maintain that this is so.

Sir Denys Bray: As a matter of fact he himself provided me with a reminder of the actual fact:—"defended by lawyers" before that *very judicial* body, the immigration authorities!

And finally—for this seemed to be the burden of his argument, Sir—the great argument against the Bill is money, money, the vast sums of money that will be expended from the resources of the Indian tax-payer on providing a few third class passages out of India! (Laughter.)

But it was dust he threw into the eyes of the House when he spoke about this Bill being directed not against the foreigners at all but against Indians. It cannot be said too often that this Bill does not touch the Indian British subject or, the subject of an Indian State. And as for the foreigner, it touches him not unless he comes into the country and tries to inculcate doctrines which in their ultimate aim seek to undermine India's ancient social system. (Hear, hear.) Let not my Honourable friend deceive himself. Or if he deceives himself, let him not deceive the House. Whatever soft words agents of the Third International may find it wise to whisper into the Indian ears for the moment, the Third International has preached its creed from the housetops too often for us to forget it. It is their boast that Communism has no need to conceal either doctrine or design. It is their boast that in destruction lies the only path to their goal. The violent crash of the whole existing social structure is their open war-cry. Apply that war-cry to India, Sir, and think what it means. Is India to sit, hands folded, while Communists from outside besmirch what Islam reveres and seek to bring down the whole structure of Islam? Is India to sit, hands folded, while those great contributions which Hinduism— But here my

eye lights on my Honourable friend Mr. Ranga Iyer and I feel abashed. For in that after-dinner speech of his the other day, while there was much with which I disagreed, and much which as usual I thoroughly enjoyed, there was one passage which gave me a thrill and a glow. And that was that passage of fine patriotism, of grand racial pride in which he spoke of the indestructibility of Hinduism, and how Hinduism had remained firm, untouched, while invasion after invasion passed over India. As I listened, I felt that it ill became an Englishman like myself, belonging to a race whose civilisation, however fine, does not boast of such immemorial ancestry, it ill became an Englishman like myself to bring Hinduism lightly to my lips. And yet—is *Hinduism* to look on, hands folded, while *India* is subjected to an invasion of poisonous ideas infinitely more perilous than any invasion of force? (Hear, hear and Applause.) Or am I wrong? Is there something after all in Communism that can stir Islam or Hinduism to a new and a fuller life? India has problems of her own: Hindu and Muslim, landlord and tenant, capital and labour, town and country, problems, plenty and to spare, difficult enough of solution without intrusion from outside, without the foreign intrusion of a poison more virulent than any poison the world has yet known in history. For myself, I look upon these industrial and agrarian disputes of ours, save when I am in the trough of depression I look upon our communal struggles, as painful indeed and ugly, all too often dangerous, yet seemingly inevitable at the present stage and symptomatic of evolution and change. They are to me the growing pains of a young nation. The adolescence of a new nationhood is upon India. India, modern India, young India is awakening to a new life, and growing pains must need be hers, growing pains, painful of course, yet in their final outcome—who dare doubt it?—benignant. But what of this intrusion of foreign matter into the body politic? It bespeaks not the growing pains of health and growth and life, it bespeaks the devouring pains of the cancerous growth of dissolution. To me, Sir, this is no idle metaphor. How indeed could it be? If I am right in thinking—most Honourable Members in this House will not need to think, they will know—if I am right in thinking that Islam and Communism, Hinduism and Communism, are as poles asunder, then this intrusion in our body politic is cancer indeed. A wise man at the first warning signs of cancer hies him to the surgeon that the knife may remove the cancer before it is too late.

Lala Lajpat Rai : Why is not religion mentioned in this Bill?

Mian Mohammad Shah Nawaz (West Central Punjab : Muhamadan) : Hatred between classes is mentioned.

Lala Lajpat Rai : That is religion perhaps.

Sir Denys Bray : The unwise man waits, as my Honourable friend Lala Lajpat Rai would have us wait, too long. What! Should the State, with millions of people in its keeping, wait too long? I have heard the suggestion (I am not quite sure whether it came from my Honourable friend Mr. Ranga Iyer) that the State should indeed shrink lest it offend some foreign Government. What Government, I wonder? What nation? I can think of one only, a nation which, as Sir Victor Sassoon reminded us, make short work of people who think differently from themselves and give utterance to their thoughts. My Honourable friend Mr. Ranga Iyer, I now remember, said that this Bill was designed to thwart—have I got it wrong?—some federation of Asiatic nations. What nations is he thinking of? Is it Japan? Again I can think of one semi-Asiatic

[Sir Denys Bray.]

nation only that revels in this sort of doctrine. Is he thinking of China ? My friend Sir Victor Sassoon again provided the answer. And I myself am minded of the patriotic words of Mr. C. C. Woo when they made a clean sweep of Soviets, citizens, agents and all, from Hankow and evoked an angry protest from Mr. Chicherin. "The primeval instinct of self-preservation", Mr. Woo is reported to have said, "demands that the nation should be thoroughly purged of all foreign cells of hostile activity. And whosoever in the wide world this our action of national self-preservation may please or haply displease, China cares neither tittle nor jot". Wise words, Sir, and brave. Let India say the same !

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

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

Mr. Arthur Moore (Bengal : European) : Sir, we live in a world of paradox. But I do not think that even in the most freakish moments of imagination we have ever seen so pleasing a paradox as the other day when my friend Mr. Ranga Iyer was found urging the Honourable the Home Member to make use of Regulation III, while the Home Member was protesting that he wished to proceed by way of the ordinary law. Regulation III, as we all know, is a drastic regulation. Now we are trying to deal with three possible classes of people : inhabitants of the country, British subjects from the home country or the Dominions, and aliens or foreigners. I understand the Government has under the existing Act very full powers for dealing with aliens. It can of course deal by the ordinary law or if necessary at times by emergency regulations with inhabitants of this country ; but it does find itself in a difficulty as regards dealing with British subjects who come here from England or from the Dominions. I understand they might possibly be dealt with also under Regulation III, and that is what my friend Mr. Ranga Iyer wished to do. I am sorry to find Mr. Ranga Iyer so vindictive about these young men. He wishes to see them rotting in jail. I should have thought that the proposal of Government merely to deport them to the place whence they came would be very much more humane than Mr. Ranga Iyer's proposal to deal with them under Regulation III.

Mr. C. B. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : On a point of correction. I did not say that they should be dealt with under Regulation III, but under the ordinary law of the land.

Mr. Arthur Moore : I accept the correction, but I was under the impression that Mr. Ranga Iyer expressly mentioned to the Home Member in his speech Regulation III as being useful. Mr. Ranga Iyer went further and said, as Sir Victor Sassoon pointed out this morning, that in no other country would legislation of this kind be tolerated. And Lala Lajpat Rai this morning challenged Sir Victor Sassoon's version of the United States law. Now, Sir, I do not claim to be an expert on this immigration law of the United States. But as far as I understand it, Sir Victor Sassoon was right and my Honourable friend over there is wrong.

If he will permit me I will just repeat the relevant section. It runs as follows :

“ No person who disbelieves in or who is opposed to all organised government or who is a member of or affiliated with any organisation entertaining and teaching such principles..... or opposition to organised government or who advocates or teaches the duty or the necessity or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally of the Government of the United States, or of any other organised government shall be permitted to enter, etc..... ”

Then it says :

“ This section shall be enforced by the Secretary of Commerce and Labour under such rules and regulations as he shall prescribe.”

Nothing there about judicial trial—simply rules and regulations. Then we come to deportation.

“ In case the Secretary of Commerce and Labour shall be satisfied that an alien has been found in the United States in violation of this Act or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came.”

Now, Sir, I contend that this is fairly comprehensive. It is quite true that in the present Bill there is no provision for a limit of either three or five years or for any other period ; but that is not a matter of principle. That is a matter of detail which can be dealt with in the Select Committee. I submit that the procedure is in all essentials the same.....

Lala Lajpat Rai : Not at all.

Mr. Arthur Moore : I have yet to discover the difference.

Lala Lajpat Rai : The difference is this : the man is called upon to show cause and then the Secretary of Commerce and Labour passes orders, and then it is open to him to contest that order in the States Court.

Mr. Arthur Moore : There is nothing here about showing cause ; it is entirely left in the hands of the Secretary of Commerce and Labour. He has got to be satisfied, and I take it that in the case with which we are dealing the Government of the day will also have to be satisfied. Now, Sir, the Opposition seems to suggest that the Government is setting a whale to catch a sprat. I should like to point out that behind any particular sprat for whom the whale may be set there is a world-wide conspiracy at work. I refer to the Bolsheviks. I have been in Russia since the war under Soviet rule, and moreover in Teheran and Kabul I have seen many of their agents, and have had the benefit of conversations with the Russian Ministers in Kabul and in Teheran. I am also familiar with the reports of the Third Internationale and with the proceedings of the Oriental Congress at Baku in 1920. Like Sir Victor Sassoon I am not an alarmist by nature. When people tell me that Russia is a great military danger, when they tell me that we are liable to a sudden attack upon the frontier I am not always very much impressed. I do not believe that Russia, whatever may come,—and in the end war may come—wants war. What does Soviet Russia want ? I do not think any man who makes a study of the situation can have any doubt as to what she wants. She wants civil war. She wants world wide civil war. Her propaganda stretches right through the world, from Moscow to the Thames and the Clyde, to the United States, the South America, to Mexico, and to all the

[Mr. Arthur Moore.]

countries of Europe. We know how actively her agents are at work. How are we to deal with this menace? We have been told that India is not good soil for this propaganda. I agree, and I do not think that India is seriously going to go in for a campaign of violence. But this I do know, that there are some forces at work in India which do not want industrial peace. I would call your attention to the steel industry. That is, if I may say so, the cherished darling of this House. The House has lavished great sums upon it. They have determined and rightly determined to have a great steel industry in this country. Now, we know that the firm which constitutes the steel industry are good employers. A certain gentleman in a rash moment said hard things about them, but since then he has made a handsome apology. I do not think any Member of this House will suggest—I am quite sure Mr. Joshi will agree with me—that they are not good employers. I do not know, nor does any Member of this House know, what this fight in the steel industry is about. The grievances are still to seek. All we know is that the steel industry on which the House has lavished so much pains and attention is closed down. We know that only a short time ago it achieved a very great triumph. It obtained a contract for steel to be used in the building of a great bridge near Calcutta, the Bally Bridge. That was a tremendous triumph for this industry in India. No such contract had been obtained for Indian steel before, as far as I know. To-day that industry is closed down, temporarily we all hope and believe. But the fact is that it is closed down and is unable to fulfil its orders. It is being prevented from carrying out that order of which we all heard with pride. My friend Mr. Gavin-Jones can tell us a great deal as to what is happening in Cawnpore and in the United Provinces. Now I draw a clear distinction between this kind of violent movement among the workers, which takes no real interest in securing benefits for the workmen, and legitimate trade unionism. Trade unionism is now recognised in England and the other countries of Europe as a legitimate weapon to protect the interests of the workmen and to raise their standard of living, and that has always included the right to strike. But we are now dealing with people whose real object is not to give support in these legitimate battles and secure victories for the men, but to foster a spirit of violence. Mr. Amar Nath Dutt said the other day that he had been up and down India and that he had never met a Communist. Well, Sir, the Communists are not quite as simple as all that. They do not waste time in trying to instil their ideas into the bland and childlike mind of Mr. Amar Nath Dutt. To them my Honourable friend is one of the abominable and abominated bourgeoisie, and in due time a knife or a bullet will be good enough for him. The Communists are working amongst the hungry, as my friend Lala Lajpat Rai pointed out; and that is dangerous ground to be worked by foreigners in this country who are advocating violence. We must remember that we are dealing with a world problem which is menacing every stable government the world over. This is a living age, the problem is ours and it is we who have to find solutions. It cannot be dealt with by the Barons of Runnymede or the sections of Magna Charta. My Honourable friend Pandit Motilal Nehru has raised two very interesting points of order this week, and he has thereby attained his object which was to secure a full debate on the Bill. I congratulate him on that. We have now, thanks to him, got a full debate on this very important subject. Having attained that admirable object, I appeal to him not to use the weight of numbers to kill the Bill at this early stage.

We are not asked to ruin any man's character. Those against whom it is proposed to proceed under this Bill will be those who openly profess and teach violence. If these men are expelled they will not consider it a disgrace but a testimonial. They are not being sent to gaol. They are merely asked to go. Is not that a simple and efficacious way of dealing with the matter? Supposing we ignore the reality and we deal with this subject entirely by points of order, discussions on rules, and so on, what shall we have achieved at the end of all? We can prove that this is a subordinate Parliament, as if that needed proving. Is it not far better to prove that this is not going to be a subordinate Parliament, if we can help it? Is it not for us to show that we are competent to deal with these problems? I can conceive circumstances in which not merely the present government but future governments will be very glad to have such a simple Statute on the book, enabling them to deport people back to the place whence they came. What are we asked to do? We are sending no one to prison. We are not, as I say, impugning anybody's character, but are giving them in their own eyes a testimonial as faithful servants of their Moscow headquarters?

An Honourable Member : Without hearing them?

Mr. Arthur Moore : Have we not heard them? Is it likely that people will be deported who are not professing the tenets of that particular gospel, the gospel of civil war in every country? It is not merely in this country that such steps are sought to be taken; they are being taken throughout the world. Society has to organize itself in self-defence. We find people who hold the extraordinary creed, that you can remodel society by violence, who fail to see that human society is the total of all our mental attitudes, and that by professing violence you can never procure peace. These people believe that by violent overthrow and destruction, they can somehow bring in the Kingdom of Heaven upon earth. Surely if you can deal with such people without violence, by sending them away to the place whence they came, is not that much better? I trust Members of this House will at least agree that it is a fair course to send the Bill to a Select Committee. I cannot believe that Honourable Members who talk of Regulation III realize the full implication of what they suggest. I would earnestly appeal to them to take the sensible course of sending the Bill to the Select Committee, where it can have full consideration and then it can come back to this House.

Mr. S. Srinivasa Iyengar (Tanjore *cum* Trichinopoly : Non-Muhamadan Rural) : Mr. President, I beg to oppose this Bill and all its provisions wholly and without any reservation, mental, moral or verbal. I think, Sir, that this Bill has been brought before us in a particular fashion so as to enlist in its favour all possible prejudices and to throw around the subject as much darkness as it was possible for the other side to do. It was a touching solicitude which was shown in the literary speech of my Honourable friend, Sir Denys Bray, and in the speech of the Honourable the Home Member for the Hindu religion, for Hindu culture, for the Mussalman religion and for Mussalman culture!! And it was suggested that if this Bill were not passed, the foundations of Hinduism and Islam, the foundations of the culture of each of my friends on this side as well as of my humble self, of which we are so justly proud, will be destroyed. Landlords' sympathy, big landlords' sympathy was sought to be enlisted by dangling before them the idea that they will all be expropriated if this

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Bill is not passed, in that artful, in that restrained way of which my friends on the opposite side are such past masters. Then it was suggested that capitalism and private property in the country will be a thing of the past and will cease to exist unless this Bill is passed. And incidentally, the recent strikes and troubles in Bombay and elsewhere were made as much use of as possible. But I cannot congratulate the Honourable the Home Member on the presentation of his case. He must himself have felt that he had no case at all to put forward before this House. I think, Sir, it is really trifling with us, men who have been trained to weigh evidence, who know something of law, who know something of human nature, who know something of what is going on in this country, to tell us that these scraps of proved or unproved things which were flourished before us furnish conclusive or even ordinary proof that there is a Red menace in India which is destructive not only of the British Government here but subversive of all Law and authority, of civilization itself, and which really threatens to throw overboard Hinduism and Muhammadanism into the two seas on either side of India. I think the Honourable the Home Member must have strained his sense of humour very considerably (Laughter) : and he would be the first person I am sure who would laugh at us if any Member of the House took him seriously. His arguments on that head could not have been presented to a second-class magistrate with any chance of a conviction on the evidence (Laughter),—and he knew that perfectly well. Of course, dealing with a popular Assembly, dealing with various interests and prejudices, he thinks he can dress up a case like this—and in window-dressing I admit I am no match for any of my friends on the opposite side—and he thinks he can persuade many Members from different points of view to support this. And above all, Sir, this was the great bait that was thrown at us—Indian British subjects are excluded, and the subjects of Indian States are excluded. What is the idea ? The Indian people are so selfish, so sectarian, they have no culture, they have a narrow outlook, and the other side only are the trustees of the whole civilization, but the Indian people are so selfish that they only look to themselves ! They will pass any Bill against foreigners and Europeans that is put before them by the Government. I submit, Sir, it is really doing a gross injustice to us to imagine that we are here not to do justice to every nation in the world, that we are not to do justice to every country on the face of the earth. Sir, we are and we shall be national, Communism or no Communism, bureauecracy or no bureauecracy. We shall be national ; but it is quite obvious that nationality of the Indian type, for I make no distinction whatever between Islam and Hinduism in that respect, is one which is so scrupulously and sensitively just to the interests of others that you will have to ransack all the four corners of the earth to find a nationality which is as just to others as ours. Therefore, Sir, I submit that it is not dealing with us fairly to present these documents. I do not go into this question whether M. N. Roy's letter was authentic or not. In all probability it was intercepted, and in all probability, they have no proof about it, and that is the reason why only one or two extracts were read out and I do not suppose the Home Member really asks us to lay any emphasis upon the conspiracy case. What he really relies on is I think the academic side of the Communist doctrine. That I think is his real basis, the real evidence upon which he wants this Bill to be passed. But it will not do for the House to be told that there is Communism in the country. We must know also who are the Communists in this country and who are the British Communists.

No names were given to us till my friend, the Honourable Mr. Ranga Iyer, let the cat out of the bag and told us that it was in response to a resolution of some European Chamber of Commerce in Calcutta, and there was no denial from that most interested quarter, that it was a resolution of that Chamber that wanted Mr. Spratt to be dealt with and that it was in consequence of this that this Bill was brought forward. Sir, I have heard no denial on that head till now. But anyhow we must know who are the professed Communists against whom this legislation is directed. And who are the other Communists? The Indian Communists are said to be quite safe. The Bill does

3 P.M. not propose to deal with them. We must know who the others are and what are the credentials of these persons, whose names have not been disclosed, to be regarded as members of the Communist Party. And what are the proofs by which Government proposes to show to us that these men have been really doing Communist propaganda? Simply because there are strikes in Bombay or in South India, are we to presume that either Mr. Spratt or somebody else, some unknown British Communist was sent as a trained Communist leader—if I remember rightly the phrase in that speech of Sir Victor Sassoon which naturally did not surprise me—to India for the purpose of stirring up trouble? What is the evidence that he was a trained Communist leader and what is the evidence that he stirred up all this trouble? If the Government wanted to show that, they could have brought some proceedings against him under the ordinary processes of law. So far as Mr. Spratt was concerned, I understand that he was once acquitted and I do not know whether any proceeding under the ordinary law would share a better fate. It is obvious then that the evidence upon which we are asked to proceed with this Bill is really frivolous and of no value whatever from any point of view.

Then the question arises whether this Bill is really a necessary Bill, is properly conceived and whether the principle for which it stands is sound and free from danger to the community at large. I submit, Sir, I oppose it on very many grounds. In the first place I consider that this Bill is a highly repressive and despotic measure and as such ought to be opposed by everybody in this House independently of any other consideration. In the second place I consider this Bill proceeds upon racial discrimination—I would say double racial distinction in favour of themselves as I shall show presently. In the third place it is wholly unnecessary; and in the fourth place it is misconceived. I think these objections can be easily made good. I shall first deal with the argument that it is wholly unnecessary. Now, clauses (a) and (b) of section 2 of this Bill deal with the direct and indirect advocacy of the overthrow

“by force or violence of the government established by law in British India, or the abolition of all forms of law or organized government, whether in British India or elsewhere, or the assassination of public officials, or the promotion of enmity or hatred between different classes of His Majesty's subjects, or the destruction of property or unlawful interference with the ownership of property; or (b) seeks to foment or utilise industrial or agrarian disputes or other disputes of a like nature with the direct object of subverting the authority of law or organised government in British India or with any object the attainment of which, etc.”

Now, most of these acts for which sanction of legislative authority to deal with them as offences is asked are all covered by the existing law as offences, and no attempt was made to show that a person could not be proceeded with under the existing law. Sections 124A, 153A, I. P. C., the mischief and murder and abetment sections of the code and other cognate enactments apply to almost all the acts aimed at by this Bill. The assassination of public

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officials would be I suppose murder and there is very little difficulty about it, and in fact the guilty person would get an aggravated punishment under that charge. I submit therefore that no necessity has been made out for this, except by invoking the method which it proposes to adopt, the substitution of a Governor's certificate instead of an ordinary trial in a court of law, for offences punishable under the Indian Penal Code or other enactments.

Now, so far as the immigration laws, to which reference was made, are concerned, I am really unable to follow that subject, for this Bill does not purport to provide for any difficulties connected with immigration, and when Sir Victor Sassoon referred to the immigration laws as supporting this Bill I do not know what he meant. I submit that immigration laws have nothing to do with it. If you want anything like that you have it in abundance. You will find from the wording of this Bill that it strikes not only at the European British subjects but it strikes at all Europeans and Americans, even though they are not British subjects. And it strikes at all non-Indian Asiatic subjects, whether they are British subjects or not. For instance, Malayan or Chinese British subjects, Arab or Somali British subjects or African British subjects, will come within the purview of this Bill, and all Asiatics and Africans who are not British subjects will come within the purview of this Bill. It is quite obvious that the object is not really to deal with any question of immigration, for that is amply provided for by Act III of 1864. In the case of foreigners section 3 of that Act provides :

“ The Governor General of India in Council may, by writing, order any foreigner to remove himself from British India, or to remove himself therefrom by a particular route to be specified in the order ; and any Local Government may, by writing, make the like order with reference to any foreigner within the jurisdiction of such Government.”

And section 5 of that Act proceeds to say :

“ Whenever the Governor General of India in Council shall consider it necessary to take further precautions in respect of foreigners residing or travelling in British India or any part thereof, it shall be lawful for the Governor General of India in Council, by a notification published in the *Gazette of India*, to order that the provisions of this and the subsequent sections of this Act shall be in force in British India, or in such part thereof as shall be specified in such notification, for such period as shall be therein declared ; and thereupon, and for such period, the whole of this Act, including the subsequent sections, shall have full force and effect in British India or such part thereof as shall have been so specified. The Governor General of India in Council may, from time to time, by a notification published as aforesaid, cancel or alter any former notification which may still be in force, or may extend the period declared therein :

Provided that none of the provisions of this or the subsequent sections of this Act shall extend to any foreign minister duly accredited by his Government ; to any consul or vice-consul ; to any person under the age of fourteen years ; or to any person in the service of Her Majesty.”

And section 6 says :

“ Every foreigner on arriving in any part of British India in which all the provisions of this Act are for the time being in force under an order issued as provided in the last preceding section, from any port or place not within British India, or from any port or place within British India where all the provisions of this Act are not in force, shall, if he arrive at a presidency-town, forthwith report himself to the Commissioner of Police of such town, or, if he arrive at any other place, then he shall forthwith report himself to the Magistrate of the district, or to such other officer as shall be appointed to receive such reports, by the Governor General of India in Council or by the Local Government of such place.”

And then the movements of foreigners are fully controlled by licenses, by all sorts of provisions. It is therefore idle to suggest, by merely bringing in "other foreigners", that this Bill has anything to do with the control of foreigners. That is amply provided for. The real object is—in order to save their own racial pride they have put in other people—to remove from India European British subjects of the Communist or Socialist or Labour variety who are not *personae gratæ* with the Government or with the capitalist Chambers of Commerce. Otherwise I cannot understand why a reference is made to other foreigners for whom a very sufficient and elaborate provision is made in Act III of 1864.

Then, coming to European British subjects, I submit, Sir, that they are covered by the existing Regulations, which, notwithstanding all our efforts, still remain as a blot upon the Statute-book. I do not say much about the blot; the Statute-book contains so many blots that a blot more or less does not matter, and that Regulation, I contend, is quite sufficient and was originally intended undoubtedly for the purpose of dealing with European British subjects or other foreigners, who, for reasons of State, are obnoxious to the Government. And in order that there may be no difficulty whatever in that connection these Regulations have been extended to the original jurisdiction of the Supreme Courts of Calcutta, Madras and Bombay by the Government of India Act III of 1858. It says that the provisions of these Regulations relating to the arrest, etc., of State prisoners shall be in force within the local limits of the jurisdiction of the Supreme Courts of Judicature at Calcutta, Madras and Bombay. Therefore, Sir, it is quite obvious that European British subjects can be dealt with in the way in which some of my friends—one of my friends is certainly here—and some of my friends who are not here were dealt with, they could be dealt with if there was no attempt at racial discrimination. I submit, therefore, that this law is wholly unnecessary. In the first place, the ordinary criminal law of the land is quite sufficient and the strong arm of the law ought to be able to help the Government in legitimately safeguarding such peace and order as they have vouchsafed to the inhabitants of this country, a question upon which opinion may be reserved. The Penal Code is there, the Criminal Law Amendment Act is there, that Act of 1908 deals with unlawful associations, and therefore part of clause 3 of this Bill is not necessary. All that they have got to notify is that it is an unlawful association. If they declare some association is unlawful, why then, any person who is a member of that association will come with it; it is not therefore necessary to make any extra provision in that behalf. Now, so far as European British subjects are concerned, if they want a summary procedure, they have got the Regulations and the Act of 1858. If they want control so far as foreigners are concerned, not only have they the ordinary law and these Regulations, but they have got in addition the Foreigners Act of 1864, by which their entry into the country, travel and movement can be fully controlled by the Government and they can be deported and asked to remove themselves very politely. I was told that a polite request for removal was all that was needed. For that purpose I do not think this is necessary. The Governor General in Council should send a polite request and the gentleman would certainly go, especially when that polite request is backed up by what my friend Mr. Ranga Iyer referred to as a free passage. Therefore, Sir, this Bill is, I submit, wholly superfluous.

[Mr. S. Srinivasa Iyengar.]

I have dealt with this subject at some length, because Honourable Members on any side of the House who may not be in agreement with some of our views, who may not be in agreement with my views, should not be stampeded into supporting this motion, merely on the ground that there is necessity for this motion. I say to anyone in this House who is against Communism, who is against any British Communists coming into this country, whether he agrees or not with the views which my friends on this side of the House or some of them may happen to entertain, that the existing law is wholly adequate and this Bill is unnecessary. In the second place, there is the question of racial discrimination. When an Indian is concerned, you imprison him under the State Prisoners' Regulation and in the case of a European British subject alone, you want to deal with him so lightly and send him away. That is certainly racial discrimination. No doubt the insinuating end of the wedge was shown. It was stated that Indians are excluded. But in truth, Indians are not excluded. They are not named in this Act, for they are fully covered by the existing law, by the Regulations and by the ordinary law and the punishments are severe. The present powers are quite sufficient to deal with Indians, but these powers could not be used against European British subjects, because questions would be asked in Parliament and various parties would kick up a hell of a row (*Honourable Members* : "Unparliamentary ; withdraw, withdraw.")—if it is unparliamentary, I withdraw at once—and therefore they should be allowed gently to go out of the country with a free passage. It is with that view and that view only, of making racial discrimination in their favour and letting their own countrymen go free, this is brought. Notwithstanding the assertion of Sir Victor Sassoon that he regards British Communists as foreigners, Government do not regard them as foreigners. They want even in the case of their British Communist friends to make all possible concessions and they want to send them away as courteously as possible ; and therefore I say that this Bill proceeds upon a racial discrimination.

Dealing with the third point, the Bill is wholly dangerous in principle. It is a repressive measure. That word has been heard in this House and elsewhere many times, but if ever that word can be applied to any measure, it should be applied to this. For, what do you see ? The questions which will arise in connection with this Bill, if this measure becomes law, will be very intricate, very delicate and difficult, namely, whether a man directly or indirectly advocates the overthrow by force or violence of the Government, or the abolition of all forms of Government, whether he promotes enmity between different classes of subjects, or whether he foments industrial disputes with the direct object of subverting—these are questions certainly of a difficult nature oftentimes which will require not only clear evidence, but which will require anxious judicial consideration. How is the Governor General in Council, who is not a judicial authority, to decide these questions, without hearing anybody, without giving notice to the party concerned ? We know what this means. I admit the Governor General in Council is there in the Statute-book. We know it does not really mean that but having regard to the administration, it necessarily means some link in the administrative chain, which is strong enough to make itself felt. It may be a policeman at the bottom of the ladder ; it may be a Collector or a Magistrate, or Commissioner or it may be a journalist who has the ear of the Government House or it may be a

European capitalist who is strong enough to make himself felt and who canvasses official votes for his point of view. Therefore the Governor General in Council does not mean really the Governor General in Council. It comes to him for the first time, flagged files of papers no doubt come to him and various other things. Somewhere or other along the chain there will be some man who knows his mind, who is a strong man and who wants a particular person whom he considers is obnoxious should be removed and he has simply to insist upon it and I know in course of time he will have his way. There is no doubt about it. I see the Honourable the Home Member with larger experience of administration than I have differs from me and smiles. I am perfectly certain if he would only consider in how many cases he brings to bear his independent judgment and in how many cases he merely endorses and puts his signature on the proposals sent up he would agree with me. Therefore, I submit that the Governor General in Council means nothing whatever. The biggest phrase is put in, as if the Governor General in Council actually deals with it. Secrecy and the black cap are the order of the day. That is what is done and nothing else. I therefore submit that this is really asking us for a very large order. I submit also that not only is there no trial by a court, is there no hearing, is there no notice, but the various things which have to be elicited are really matters which cannot be elicited by officials. It must necessarily be a public open judicial inquiry. The fierce light of publicity is the one safeguard against any despotism, against inadvertent discharge of duty, against negligence. With the best will in the world I cannot discharge a duty properly unless I hear the other side of the case. I may consider myself a very just man—and I do consider myself to be a very just man (Laughter)—but I do submit I cannot discharge that duty faithfully unless I hear the other side of the case. And I cannot hear the other side unless the other side is represented in cases in which representation is necessary, and not only is that necessary but it should be open hearing and open investigation of the matter. Publicity is at the root of it, and I have been told by my elders and political ancestors, who believed in British justice, that publicity was a great inheritance from the West. But I find that this Bill goes against that ancestral tradition.

Then you will see what an extraordinary provision section 7 of the Bill is, to which I would refer you.

“ No removal order shall be called in question in any Court or by or before any other authority whatsoever, and nothing in section 491 of the Code of Criminal Procedure, 1898, shall apply to any person who has been committed to custody under section 6 ”

—“ any other authority ” presumably is intended for the Assembly—

“ or any other person in respect of whom a removal order has been made; and no suit, prosecution or other legal proceeding whatsoever shall lie against any person in respect of anything in good faith done or intended to be done under this Act.”

If the Governor General in Council at least had pending before him the risk of a suit or other proceeding, then there would be some slight safeguard, but when the Government has been given this wholesale immunity, what guarantee is there that the Governor General in Council can do anything but read the papers and sign any recommendation placed before him ? I submit, therefore, what most Judges of the Indian Courts, High Courts, and the Privy Council, have found very difficult to construe and apply, the Governor General in Council in no time will find it incredibly easy for him to deal with. I submit that no further argument is necessary against this Bill, and I appeal to every one of my friends, whether he agrees with my

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arguments or not, steadily to set his face against this most mischievous and obnoxious measure, which has been brought at a time when all the parties had met at Lucknow and had made a generous gesture to the British Government and people.

Then, Sir, I now deal with the last part of my subject, namely, that this legislation is wholly misconceived. It is not suggested that Communism is illegal. They have not made Communism illegal. They are allowing Indian Communists to propagate that doctrine. On the basis that non-violent advocacy of Communism is not illegal, we do not concede that Indians are not affected by this particular legislation. They will be proceeded against as a next step when the provisions of this Bill become law. If that were not so, what is the reason why, if a British Communist comes and does things, should he be restrained? We do not want British leaders here either for ordinary normal politics or abnormal politics. We want to be national and to lead and to be led by ourselves. But at the same time we are not a people who are ignorant of the laws of hospitality. We are not a people who are against learning from others. Therefore, Sir, if we oppose this Bill we oppose it on the ground that we do not want the British Communists to help us, but that any British subject or any foreigner who is entitled to come to India must be dealt with in the ordinary way, and if he has a theory to propose he must be allowed to propose it. Very much has been made of Communism. We cannot draw our information from the early history of the Russian revolution or from the early days of the Internationals. We must take the facts as they are at this moment and not deal with this question as if we were dealing with extreme doctrinaire views propounded in the earlier days. We know perfectly well that amongst the Communists there are several schools and the school that is dominant is the National School of Russia, and that school holds the view that the religious faith of citizens should be tolerated, that private protests and capitalism should be recognised to a certain extent, and it also recognises the fact that other countries should have their own national government. If there is one government in the world that has changed its mind and now fully recognised religious freedom, that Government is Russia. (Ironical cheers from Treasury Benches). There are more than a thousand churches which are filled with worshippers in Moscow, and I found that they also allow not only religious instruction by parents, but that in the case of Muslims and Christians they have allowed religious instruction to be taught in schools conducted by Maulvis or Christian clergy as the case may be. I was anxious to enquire into this Muhammadan question, and I found that they were allowing Muslims full religious freedom and instruction. I had a talk with Mr. Lunackarsky, the Minister of Education, and he himself told me in the presence of a number of people what I have stated above and verified it from some Musalmans of the Soviet province who were in Moscow. I think, therefore, that it is idle to contend that Communists of all schools are intolerant of religion. The Soviets are recognising more and more private property and a certain amount of capitalism. My belief is the world is moving from the extreme and logical capitalism of the West through forms of State capitalism and severely controlled capitalism, to a position intermediate between extreme capitalism and doctrinaire communism, which will be certainly more to the right than Soviet economics stand now, but which is certainly quite different from the abolition of private property and of any degree of capitalism. I am dealing not with the Communism in theory but with Communism in action as it is to-day in

Russia, and after all the power of the Third International is more or less derived from Soviet Russia. Therefore, I submit,—as I told some of my friends in Russia, God is not a capitalist proposition, and I have no sympathy with any Communist view on that point to the contrary. We have nothing to fear from any attempt to spread any doctrine. Some of the greatest authorities in Russia told me most definitely that they allow religious toleration.

Mr. Srinivasa Iyengar : I talked with the Muhammadans there and they told me that there was the greatest tolerance in respect of religion in Soviet Russia, at least as great a tolerance as in any country in the world. I must take things as I have seen them. It may be that others have read some sort of books and got their ideas only from those books about Russia. I submit that Russia has been tragically misunderstood. No doubt their old debts have been disowned by them. No doubt there were revolution and its horrors but there is not the slightest doubt that ignorance and want of facilities for travel are mainly responsible for all this tragic misunderstanding. I am glad that Mr. Moore recognised that Russia itself does not want war. Nor does it want civil war.

Mr. Arthur Moore : It does want civil war.

Mr. Srinivasa Iyengar : The Honourable Member used the expression civil war and I say it does not want civil war either. No doubt it wants economic changes, but it does not want civil war, or wars of any and every kind. I submit further that I also found that nationalities are greatly encouraged by the Russian Soviet Government. (Hear, hear.) Every state is given full autonomy, every province is given full autonomy. States like Georgia are at liberty to separate themselves from the Soviet Union and they can declare themselves to be independent this day. That is the real position to-day in Russia as regards the various States that constitute the Russian Soviet Union.

Colonel J. D. Crawford .(Bengal : European) : How long have you been in Russia ?

Mr. S. Srinivasa Iyengar : I was long enough in Russia, at any rate much longer than the Honourable Member, to know more about it than he himself. I know cross examination and I am used to it and I am not going to yield to his interruptions. (Applause and laughter.) Mr. President, I am not going to convince those who are blind and cannot see or those who are wilfully blind and will not see anything good there. (Hear, hear and applause.) It is this wilful blindness coupled with tragic misunderstanding as I call it that is responsible for wars and rumours of wars in the world. I submit, Sir, that Russia is more for nationalities than any other country in the world. This I learnt not only from Russians themselves, not only from Ministers and Leaders of the Soviet Government, but also from some of the Muhammadans citizens of the territories controlled by the Soviet Union who were in Moscow.

There was another cry that culture will be destroyed. As to this I must inform the House that the Soviet Government has been anxious to invent alphabets and insists upon each province having its own languages.. This House may not be unaware that the Indian National Congress has been for a long time talking about linguistic provinces, but the Government would not listen to the Congress demands to separate the provinces on a linguistic basis and yet the Soviet Government which is much criticised has established linguistic and cultural provinces. It does insist upon cultural deve-

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lopment suited to the different provinces. No doubt in the time of the Czars autocracy and despotism existed in Russia. All that has disappeared to-day. If you want to see Communism in action as it exists at the present day, you must go to Russia and see for yourself. The Russians have got rid of all the old despotism and autocracy. If we want to understand Russia in the proper light, we must not read the present facts of the world situation in the light of earlier revolutionary history nor in the light of doctrinaire and academic propaganda which was preached at one time or which may be aired by some even now. We must look at the facts as they are to-day. Supposing you disagree with these ideals and views and you want to get rid of them, how can you do it? Ideas like these will spread and cannot be suppressed. I doubt very much whether extreme forms of Communism will ever prevail in India. Communism does not mean revolution in religion as some seem to think. There is no fear from Communism for any part of the world. If you think any doctrine is unsound and if you want to get rid of it, the best thing is to allow that doctrine to spend its force. I can quite understand your apprehension if any violence is used or resort to violence is advocated. So far as violence is concerned, that will not be countenanced either by the Government or the people at large. To put down violence ample safeguards exist even under the present law. But that is not what is attempted or aimed at in the present Bill. The attempt in this Bill is to kidnap British or other Communists or socialists and remove them from this country.

The only other argument to which I need reply now is the argument that there will be a great deal of violence in this country unless we check his menace. But what is the evidence that we have of the proposition that these Communists have preached violence in India? Have you got any evidence? We have got none to the effect that they actually preach violence in India. I have not seen anything of the kind. Nothing convincing has been quoted till now for the purpose of showing that they preach violence. What you want is not one scrap of paper here or another there. What you want is a strong body of convincing evidence which will enable us to appreciate any case that may be put forward. I certainly stand for freedom of thought (Hear, hear) for freedom of expression of opinion, for freedom of propaganda, for freedom of association. This Bill strikes at the very root of the fundamental rights to freedom of thought, to freedom of expression of opinion, to freedom of propaganda, and to freedom of association. On that very ground I strongly oppose this Bill. Whether we agree with this part of the Communist doctrine or that part of the Communist doctrine, it does not matter. It is not a matter with which we need concern ourselves. I am perfectly certain that a doctrine which is unsound will by its own weight perish. The sounder doctrine will persist in the course of evolution and even in Russia the earlier doctrines which were unsound have died of their own accord and to-day the sounder ones are prevalent. There have been great changes in the matter in Russia and they may change still further. In Russia it has been perfectly well demonstrated that even with all the aid of force at its command, the Russian Government was not able to maintain purely theoretic Communism in its most extravagant form. They have made that experiment in Russia and failed to uphold that kind of doctrine. There is no danger to a body politic by allowing any theorist to propound his views. The only constructive suggestion

that I would make—for we are often told that we do not make any constructive suggestions and that we are only making destructive criticisms—the only constructive suggestion that I would make to the Government is to encourage all sound socialism. That of course would be a corrective to doctrinaire Communism if Communism were to be of the most violent type. What is wanted in India is State capitalism and fully controlled capitalism and the welfare of labour and peasants. My own opinion is that the Soviet economics is not yet stable because it is more to the left than it should be. But I certainly disagree with the capitalist school of thought which wants uncontrolled private capitalism as it stands at present in America or in England. Those are my own particular views and they differ from Communist doctrine, but whether those views are acceptable to my Honourable friends on the other side or not, I do submit that it is necessary that we should live at peace with all the world. We should not have any misunderstanding.

Then my last argument is that this Bill aims and its intention is—it is the intention of the Bill as drafted that matters, the intention of the draftsman does not matter—to promote unfriendly relations between this country and foreign countries including Russia, between the people of India and the people of other countries. Why should the people of India who have no quarrel with the people of the other countries be asked to be a party to this Bill by which the foreigners may be deported, by which British subjects may be deported, by which Chinamen, South Africans, Germans, Frenchmen and Italians may be deported? Why should we have anything to do with these things? I submit that we should not take any responsibility in this matter. If we give our vote in favour of this Bill, and if this Bill is passed, we would be simply promoting unfriendly relations between this country and others, while curiously enough to prevent unfriendly relations some succinct provision is sought to be made by another measure which will be before this House later on. Therefore I submit that this is not a proper measure to be placed on the Statute-book and I strongly request the Members of this House not to think that their lives will be in danger or that their liberty will be in danger, or that their religion will be in danger, or that their zamindaris will be forfeited or that other things will go to ruin if this Bill is not passed. What a wonderful belief it must be which holds that by this Bill the British Government will give us more than the British Government has given us for the last one hundred and fifty years. The British Government has not given us this happiness yet; but it is believed that the moment this Bill is passed we shall get it. I really cannot understand this kind of belief. It is childish, it is preposterous.

Then, Sir, I only want to say one or two words about one or two of the provisions of the Bill. I do not want to deal with the Bill in detail but there is one clause I have not dealt with which relates to the destruction of property. Any person who directly or indirectly advocates “the destruction of property” will come under this Bill, whatever its purpose. Now, the destruction of property is perfectly lawful and legitimate for 50 different purposes. Property may lawfully be destroyed for the purpose of sanitation, cleanliness and convenience, for the purpose of preventing the spread of epidemics and cattle diseases and the spread of agricultural pests, for town planning and improvements in city and village. You will want destruction of property for numerous other purposes. Therefore, Sir, I really was astonished that the Honourable the Home Member should want us to pass this Bill. It shows what danger there is in rushing through

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a Bill by saying it is very urgent. You have been told, Sir, and the Members of this House have been told that this is a very urgent measure. I ask, what is the urgency? There is absolutely no urgency whatever. I do not know whether the Secretary of State has consented to this measure. Presumably he has. I do not know whether the Secretary of State was able to obtain the support of Mr. Ramsay MacDonald and his Party. But what the urgency of this measure is I am unable to say. We were told British trade-unionism has purged itself of Communism. This Bill is not wanted because Communism is already purged from British trade unionism. You really do not want it in every case, because you have your passport regulations to deal with cases of this kind. I know of at least one case which came to my personal knowledge while I was in England. The man was or was supposed to be a Communist; he handed his old passport to go to Germany and the passport, which was a British Empire passport, was cancelled. That is, he will not be allowed to go to other parts of the British Dominions. Therefore, there is ample safeguard. If they want it, the Government at home can easily prevent British Communists from coming out here. They are already doing it. That is the complaint made in the Press as well as in Parliament in England. Therefore, Sir, if really a measure of this description is wanted it should be taken in England and not here. But, as I say, I am all for freedom of conscience and, as my friend Lala Lajpat Rai said, we may not all of us agree with Communism but to try to suppress it will give it the force and freedom of a new religion. The more you seek to suppress it the more formidable it will be, for it is by forbidding things that you increase their attraction. It is by shutting out Russia, it is by trying to isolate Russia from the rest of the world, that you have made it more important and the Communists more important in the eyes of the world. I say, let the winds of Heaven blow on all theories, whether Communist or other. The intrinsic soundness of any theory will be the best test and the survival of the fittest is the only way by which you can judge. I am not now talking philosophy. I am talking practical politics and as capable administrators I am sure my Honourable friends on the other side are really convinced that what I say is true, though they may for their own reasons have to differ from me.

To conclude, I say that this Bill is wholly mischievous and pernicious. It strikes at the liberty of the subject and we cannot seek to deprive any man, be he foreigner or British subject, of the liberty which we ourselves prize and should have. We want Swaraj in our country and we want to cultivate good relations with the rest of the world. We want that the men who come here should enjoy what we enjoy or wish to enjoy in other countries. They may not have the right to vote and other rights of citizenship but they should have all the ordinary rights which are conceded in all civilised societies to residents temporarily or permanently resident in a country though they may not be natural born or naturalized citizens of the State. That is the ideal that we want to work up to and therefore it is impossible for Swaraj India ever to agree to such a proposition as this. I would once more appeal to all sides of the House without agreeing with any part of my views as to the doctrines of Communism because I know they may have their own views and they are at liberty to have them—I would appeal to them to vote against it on the ground that it is an unnecessary measure. On the ground that it is a racial measure, even those who are anti-Communists or are frightened of Communism ought to vote against

this Bill. To others I would say, let us not be afraid of this bogey of Communism. For the other reasons to which my friend Mr. Ranga Iyer referred in his able and comprehensive speech—to which an unfortunate reference was made to-day as an “ after-dinner speech ”, a description which I resent as much as the speaker resented Lala Lajpat Rai’s remarks against Sir Hari Singh Gour’s speech—I submit that this is a Bill which ought not to be on the Statute-book. I would appeal again and again, I would appeal a thousand times, to this House not to be frightened by the word “ Communism ” or by the word “ Red ”. I am very very sorry that I never bargained for a speech of the description of Sir Hari Singh Gour’s. When he approached me to serve on the Select Committee I said I would wholly oppose the Bill but that if the motion to refer it to a Select Committee was adopted then I should not have any objection to be on it. But I never bargained for the sort of speech he made. It looked to me as if he were supplementing things which had been left out by the Honourable the Home Member. This is not right ; and I certainly know more about this topic than Sir Hari Singh Gour can know. Notwithstanding Colonel Crawford’s very pertinent interruption I certainly know more about the matter and Soviet Russia than he knows about India. I therefore, Sir, request that this Bill may be opposed by all the parties in this House. But while I am against this Bill, I am not against the motion for the circulation of the Bill if it is necessary to find out what people think about it. I think myself it is unnecessary, but if it is considered necessary then we can try and find out whether there is really any evidence of the existence of this peril, whether Government is going to be overthrown, whether ordered society is going to be overthrown, whether Hindu and Muhammadan society is going to be overthrown. These are all things I have myself not seen yet. I am still a Hindu. My friends are still Mussalmans. I have not seen that they have been destroyed ; and therefore, Sir, I would urge for all these reasons that this Bill is not at all a Bill which can deserve support from any quarter of this House, whatever may be one’s opinion about Communism.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province : Nominated Non-Official) : Sir, after hearing the very eloquent speech of the Honourable Member, who has just sat down, I think the House would like to hear the views of a man, who can only lay claim to a common-sense understanding. Sir, I have a certain amount of personal knowledge and a little experience of this Bolshevism or Communism. I will not go into the details of the sources from which I have got my knowledge or the experience that I have gained and should like to be as brief as possible. To my mind the question resolves itself into three issues. The first is, whether Bolshevism or Communism is an evil dangerous to society, religion and settled government ; the second is, whether this evil exists in the country to any large or small extent, and the third is, whether it is necessary or desirable to legislate in order to put a stop to that evil, if evil it be, or whether the existing laws of the country are adequate enough to meet the situation. These are the only questions which to a layman like myself occur in the solution of this case.

Well, Sir, as regards the first issue, I believe most of the Members are acquainted with the literature issued on this subject, whether by Soviet Russia from Moscow, or by their opponents in Europe or America. Honourable Members would, I believe, have come across a good many books written on this subject in favour of and against this new gigantic propaganda of

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Bolshevism, and I need not therefore go into the details of that. But fortunately or unfortunately, living as I do on the extreme border of India, I have come across people who have given me first-hand information of what is happening under the Bolshevist rule in Central Asia. As a matter of fact, a very wealthy merchant or rather the Treasurer of the late Emir of Bokhara, is a neighbour of mine and we have been living together at Abbottabad for the last three or four months. It is not only from him and the numerous messengers and friends that he is receiving from day to day from Central Asia, especially Bokhara, that my knowledge of the state of affairs in those parts is derived but I can also claim several other sources of knowledge on that subject.

Sir, the evils that are now prevalent in those regions under the Soviet Government bearing the name of Bolshevism or Communism are numerous. This is what this friend of mine, who owned large properties not only in Bokhara, but in Samarkand, Tashkent and several other parts of Russian Turkestan, tells me. He tells me, Sir, that it was only by a small letter that he received one evening, which he could not believe to be genuine at that time, that he was told to vacate his houses and leave them for the use of the Soviet Government. He perhaps hesitated to comply with those summary orders, and the result was that he and all his relations were deported without any trial or inquiry. He has told me that on many occasions orders were communicated to people not by any regular tribunals but only through people wandering about in the country whom you could never believe to be people connected with the Government of the country in any way. If a man is unfortunately a little methodical or expects such letters to be coming to him in a more formal way, he at once suffers for it in a terrible way. As an instance of Bolshevik highhandedness, Soviet troops coming to a village will either go to what we call "Hujrahs" or guest houses in villages; and if there is no guest house in a village they will seek shelter under the roof of mosques. They have no great respect for places of worship and, if they were to come to India, they would perhaps use temples and places of that sort. No excuse needs to be given by them for using these places of worship! As regards property, well, I am not prepared to believe all that I have heard from these sources about their destructive policy; but surely they want to distribute wealth more proportionately than might possibly suit some of our friends who are of capitalistic ideas. But if we approve of these ideas in Communist Russia on the plea of necessity and proper distribution of wealth then why should we have any objection to the activities of robbers and looters in the country, if they are committing these things simply for the sake of filling their bellies? If that is the idea, we should do away with all penal laws against theft, robbery and all acts of these sorts. But to an ordinary man like myself, it looks as if Bolshevism was only a recognised form of robbery going on in those countries. I will not touch the more delicate question of Government, but I thought there was no disagreement on the point that Bolshevism or Communism as it prevails at the present day, at least in Asiatic Russia under the Soviet Government, is the most abominable form of Government or organisation. Things may be a little different in European Russia, where our friends on the opposite Benches occasionally go and see things by themselves. But on the Asiatic side of Russia everything is very much disorganised and no civilised nation—and I think we Indians claim to be civilised—

can approve of the system prevailing in those countries. Well, if I cannot express my feeling on this subject or communicate my knowledge of it in a more convincing way, it is due to my lack of command of the English language but personally I am perfectly certain that Bolshevism or Communism, as it prevails in these days in Central Asia, is the most destructive kind of organisation that has ever been set up.

4 P.M.

Mr. President (addressing the Government Benches) : Order, order, Honourable Members should not turn this Chamber into their office.

Nawab Sir Sahibzada Abdul Qaiyum : Communism, as it prevails in Central Asia, is the most abominable thing and must be guarded against as quickly and effectively as we can. Now, Sir, we take precautions against plague, cholera and other diseases, so no one will deny that it is more essential to set up a barrier against this contagious disease of Bolshevism or Communism. That is the first point.

The second question is, to what extent it exists inside and on the borders of India. I will not go to the seaside border but will confine my remarks to the land frontiers of India. I have some knowledge of them from a quarter of a century of my official life spent there. Even as early as 1919, when the third Afghan War broke out, I happened to capture some literature which showed that even then Bolshevik propaganda was carried on in India. I am disclosing no secrets when I say this and I wonder why the Home Member did not refer to this when making out his case. As a matter of fact, part of the trouble of 1919 was due to some such element existing in the country. I know this from my personal knowledge. As regards my own part of the frontier or tribal territory, there is a place called Chamarkand. That is an outpost of the Bolshevik propaganda. There is no secret about it. Everybody who knows anything about the frontier, knows that there is a strong outpost of Bolsheviks at Chamarkand. As a matter of fact I came in possession of a copy of a pamphlet which was practically a constitution for the provisional government of India ! It was written in Persian. It described how the Bolsheviks would enrich themselves of the fabulous wealth which, according to them, existed in India. Some of my friends on the other side of the House may say that the country has been denuded of its wealth, but there are still stories of this fabulous wealth of India in circulation in Russia. The pamphlet explained how the money was to be divided and how the programme was to be carried out. Now, that outpost is not far away from the settled border of India. There are various other centres too. I am rather sorry to say that at one time we had a Bolshevik agency at a place called Chinglai about 6 miles from a village I own in the independent territory, and only some 15 to 20 miles from the place where I live. It began its work in right earnest and but for the pressure brought to bear upon it indirectly by the Local Administration, it would have flourished. As a matter of fact it did not flourish and the agent had to retire fast from that place. As students of geography may know, Chamarkand has got a direct line of communication through the Kunar and Bashgal Valleys, right up to Badakshan and Central Asia. There is a direct communication between that outpost and the central organisation of the Bolsheviks at Tashkend and some other places thereabout. These are the visible signs of the movement coming in the direction of India. Any Member of the House can verify the facts for himself. I do not know much about Mr. Spratt or Mr. So-and-So coming to India from the seaside.

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What I am afraid of is about these open valleys leading straight to Central Asia, which are not well guarded except for the vigilance of the Afghan Government in some places. Hundreds and thousands of caravans are coming to India through these routes, and what is there to prevent the propagandists from sending out their emissaries with these caravans? I will quote you another case. In 1920, during the non-co-operation days, a number of young men went to Russia and were at once taken in the propaganda college at Tashkend. Some of those got tired of life there and came back and settled quietly in their country. They are the greatest antagonists of the Bolsheviks now. I know of a man who was there for a couple of years but he was never informed as to where he would be sent or how his services were to be used, when he was trained. They simply told him that they were preparing him for work in India! This man was eventually distrusted. It is rather difficult to convince the Bolsheviks whether a man is coming there as a real seeker after the truth of Bolshevism, or whether he is the spy of the British Government. So people going there even in good faith are occasionally made to suffer! This unlucky man, who went there as a great believer in Bolshevism or Socialism, with a broadmindedness like that exhibited by some of my friends opposite, was suspected and suffered a lot and returned very much disgusted. He is an eyewitness to the horrors of Bolshevism. Well, to my mind, Sir, there is no doubt that the evil exists, not only in a small form but in great strength and to a very considerable extent: and that it is an evil which, as I have said before, we must be prepared to protect ourselves against.

As regards the desirability or undesirability of the proposed legislation, well, I think that if we are convinced of the evil nature of this movement and if we are also convinced of the existence of it to some extent, then what is the harm of legislating against it? The only point which struck me was the one raised by my personal friend, Mr. Srinivasa Iyengar, in his speech, that the present law was adequate to deal with these cases. Sir, I am not a lawyer, and I have not studied the various regulations and laws on the subject, but even if they do exist, I do not see the harm of going into the matter and making sure whether there is anything now in the Bill which will be more useful than the existing laws of the country on the subject. To my mind, and I am open to correction—and I am not a lawyer,—the present laws deal with the persons concerned in a penal way, that is, some penalty is fixed for the violation of these laws or regulations. Perhaps the Government of India are not prepared to enforce penalties in these cases but simply want to get rid of these undesirables, and that may possibly be the object of this proposed legislation. But one thing struck me very much, when I was listening to the very eloquent speech of my friend Lala Lajpat Rai who is not in his seat now. He was against all laws of expulsions and internments and thinks of the sort. But these laws do exist in the country, Sir, and they exist in a very violent form and I can refer him, for instance, to section 36 of the Frontier Crimes Regulation, and to another Regulation according to which a resident of the country and a British subject can be expelled from his home within 48 hours and expelled beyond his own country. These laws do exist. If so, why should they grudge them as against the foreigner? My friend has often said that circumstances and conditions prevailing in some places may justify the existence of these laws but, will he tell me, please, whether the conditions prevailing in the country do not justify the enactment of this law?

Mr. M. S. Aney (Berar Representative) : Can the Honourable Member substantiate his remark by referring to any speech of Lala Lajpat Rai that he has ever justified the retention of the Regulations in the North-West Frontier Province on the ground that the conditions in that province justify the same ?

Nawab Sir Sahibzada Abdul Qaiyum : I will refer the Honourable Member to one of the speeches made by Lala Lajpat Rai—I think, on the occasion of the debate about the detenus of Bengal—when he supported the repeal of the Regulation, that there may be justification for this and there may be justification for that in the North-West Frontier Province, but there is no justification for that law in Bengal. That was the debate I was referring to. Sir, the circumstances are there, as I have said before. I mean that the circumstances are *not* less pressing in this case than they were in the other case. It is becoming a fashion to say that certain things are justified here but not justified there. Only this morning when a friend of mine said something about the unsafety of life and property on the border, my blood boiled. I said to myself, “Look at the peace and tranquillity prevailing there !” and still these people will put in all sorts of questions about the North-West Frontier Province. I am aware, Sir, that this is more or less a personal matter, but still it pains me that people who are so lukewarm about safeguarding the interests, the lives and the property of their own fellow-subjects should ever be so anxious about the interests and liberties of foreigners ! Well, Sir, as regards the foreigner, the law can only apply to two classes of people, either people from Central Asia, coming by these routes through the land borders, or people coming to India by sea from foreign countries such as Europe, America and various other places. I have no sympathy with those coming to India from the seaside (Laughter) ; because the more they are turned back, the greater the trouble will be which they will create for themselves and the Government. If the Government were to go against any international law, they will only be creating difficulties for themselves, and if they were to turn out any Labourites or other Britishers they will be coming to loggerheads with their own people !! Then Government were not able to keep the order of externment in the case of Mr. Horniman in force for long and they had to cancel that order and that gentleman has come back to India. Similarly, Mr. Spratt’s case has created a stir in this country, and if Government were to send back to their homes men of that type, it will, I am sure, serve the purpose for which my friends opposite are fighting now. Let Government turn them back, let Government break an international law and let Government open the door for agitation in this way ; it will only serve the purpose of my friends over there. Why should my friends object to legislation under the Government of India Act for this purpose ? It will give them wider powers, if the Act is interpreted in that way. That is one point. But as regards people coming to India from the borderland, these people are already liable to expulsion. I know that many undesirable people are sent back by the authorities on the frontier ; I do not know under what law, but they are sent back in practice, and I am not sorry to see them sent back because they are really a danger, if for nothing else, at least for smuggling *charas* which is becoming very cheap, and for possible propaganda, etc. So coming back to the point, I do not see why there should be any hesitation about legislating on this point. After all the Select Committee, to which the

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Bill is going to be referred, will see that this is not a superfluous law ; they will see how much of it is not already there in the existing laws of the country ; if they find anything extra as useful, they will recommend it for incorporation in the new Bill ; otherwise it will be only the Preamble to the Bill perhaps that will be left and nothing more. Well, some of my friends suggested the circulation of the Bill with a view to elicit public opinion on the same. I do not know what public opinion is wanted to be elicited on this subject. The public do not want to be disturbed by any Bolshevik movement. If it is explained to them by some expert lawyers that this Communism is going to bring them a share of the wealth of the capitalists, then they will of course vote against this Bill. It is the interpretation which is put upon the law which will encourage them to give their opinion one way or the other. It is really a question for expert lawyers, like my friend the late Advocate General of Madras, to explain to the people whether their liberties and privileges, liberty of conscience and of faith, will or will not be affected by this law. I think it was he or Lala Lajpat Rai, who said that the Bill is very badly worded and is of very wide application in its present form, but that defect can be remedied in the Select Committee and even the present laws are open to misuse or abuse by those who administer them. In short, Sir, all that I will say is that there is no harm in referring the Bill to a Select Committee for consideration.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber : Indian Commerce) : Sir, I am no admirer of Communism, nor am I one of those who think that India can benefit by the import of Communism from Russia. I, however, confess that, in spite of the various speeches that we have heard since this morning, I am not yet convinced of either the necessity or the justification for a Bill of the nature that is before the House, much less of the pressing urgency and the pressing hurry to see the Bill through immediately. Sir, the principle of the Bill, as I understand it, is to give the executive Government powers to get rid of non-Indian Communists from India *without trial*. I want the words "without trial" to be noted because I attach very great importance to those words.

Mr. K. Ahmed : Do you require trial ?

Sir Purshotamdas Thakurdas : If you do not want trial I wish you luck of it. Sir, I understand that the Honourable the Home Member has, by experience, found it necessary to deal with importations of this nature, from across the borders or from over the seas, without trial. I understand that he considers it to be in the interests of India that part of the information which may be available to the Government of India regarding some of these persons who come across to India should not be divulged. I personally am prepared to accept his statement, but what I feel is that in a case like that the Government of India have the power to deal with such undesirable persons and it is not necessary to ask this Legislature to give them any more powers. I know my Honourable friend from Calcutta, Mr. Arthur Moore, stated that the Government of India do not like to use Regulation III of 1818. May I ask if the danger is as serious as portrayed by the Honourable the Home Member in his opening speech, why do the Government of India hesitate to use Regulation III of 1818 in the case

of Britishers and foreigners when they used it deliberately, only a few years back, in the case of Indians in Bengal ? If it be the intention of the Government of India to relieve 'themselves' of the power given by Regulation III of 1818 on the ground that it is out of date and more or less primitive in nature, I personally am quite prepared to consider this Bill in the Select Committee. But, as long as the Government want to retain that Regulation, I feel that they want more powers from us of a nature most sweeping and, if I may say so, and as I hope to be able to prove later, of a most dangerous character bearing in mind the constitution of the Government of India at present. The question therefore, Sir, is, has the policy of Government that we are being asked to approve been put before us in full ? Does the Bill before the House indicate all that the Government of India ask or will ask us to do ? We are told, and my Honourable friends here have emphasised it, that this legislation is not to apply to Indians. My Honourable friends on this side have put certain questions, and I expected at least that when the Honourable the Foreign Secretary got up to speak—and he is the only Member from the official Benches who has spoken after the Honourable the Home Member—I thought that he at least would have given us some indication of what the intentions of the Government of India are regarding Indians who may take to this work of spreading Communism in this country as agents of Communists abroad. There can be, Sir, only three alternatives as regards the Government of India's policy in this connection. Either the Government of India have made up their minds to let Indians have this as a source of employment, considering that unemployment at present is so bad ; or they propose to deal with these Indians—I need not name them, many of my friends know them, especially the Home Member—under Regulation III of 1818 ; or, thirdly and lastly, they intend subsequently at Delhi or elsewhere to bring up legislation after this House has endorsed the principles which the Government of India want them to endorse by this Bill. I ask every Honourable Member who has spoken till now, including my Honourable friend Sir Abdul Qaiyum, to seriously consider whether he is prepared to commit this House to a policy which, when the Government of India want automatically to extend to Indians, few of them may like to give their assent to. Will they then be able to say that what they thought was good enough for the foreigner and the Britisher is too severe for the Indian ? And as Indians cannot be deported in any other country, Regulation III of 1818 which permits imprisonment without trial, would, the Executive will contend, be the only remedy.

Sir, I belong to that class and my constituency is one which is most interested in keeping Communism and Bolshevism out of India. I am one of those who, if I may criticise the Government of India regarding their policy in the last few months, feel that the Government of India have been unnecessarily halting, and, if I may say so, even weak-kneed. If Bolshevism and Communism be a live danger to India—and I propose to take the Honourable the Home Member at his word for that purpose, as I have not the proof nor the evidence before me which the Government have—if it has been as bad as the Honourable the Home Member makes it out to be, may I ask him whether the Government of India have till now taken any steps in this connection ? Is it, Sir, that they are afraid to apply Regulation III of 1818 to anybody but Indians ? Or is it that

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they want this House to be stamped into doing something which Government may later on contend should be equally good for Indians? It is for this purpose, though Indian trade and industry want all the protection which Government can give them from Bolshevists and Communists, I as their representative, bearing in mind my full responsibility, say that we cannot consider a Bill of the nature which the Government have placed before us.

Sir, at the risk of a little repetition—and I will try to avoid it—I wish just to submit to the House my reading of clause 2 (b) and the danger that I see in it. It applies to any person who seeks to foment or utilise industrial or agrarian disputes or other disputes of a like nature with the direct object of subverting the authority of law or organised government in British India. I venture to ask every Honourable Member here to consider whether if they had passed this, shall I say, at the last Delhi Session, this would not or could not have been used against Mr. Vallabhai Patel in Bardoli. (*Honourable Members*: “No.”) It could and in all probability would have been used. I have not the least doubt about it. If the Legislature had endorsed the principle underlying the Bill in reference to a foreigner or a Britisher, the executive would have said “We had your deliberate opinion about this. Here was an Indian to whom the law did not apply, but the exigencies demanded it and we have dealt with him in the only way open to us and that is under Regulation III of 1818”.

Sir, we have been told that there is legislation of this sort and even of a more severe nature in some foreign countries. I may say at once, Sir, that I propose to accept the *bona fides* of every Honourable Member who has spoken on this subject in this House either in support of or against this Bill, and I am trying to weigh for myself which way the best interests of the country require one to vote. We are told that every country has got powers of this nature. I will accept that. The Honourable the Foreign Secretary says it is not as my Honourable friend Lala Lajpat Rai said of the United States of America. I will accept the Honourable the Foreign Secretary's version. There is this difference, however, Sir. The countries which have been named are countries which have Governments responsible to them and Governments whom the respective Legislatures can remove if they felt that the sweeping powers thus vested on trust are misused. These arbitrary powers in such countries are quoted to us as precedents, Sir. We, however, have an irresponsible, irremovable Government. We have a Government which either by themselves or on orders from across the waters have flouted the deliberate opinion of this House on even minor issues. To ask this House therefore to vest their irremovable executive with powers of a nature which admits of no questioning once you give the power is, Sir, to say the least, asking us too much. Even that I will be prepared to consider if Government had not those powers. But they have the powers. We are told Government do not like to use them. Let them give them up. We will then consider vesting them with new powers. Every country ought to have powers of the nature that the Governments are to-day seeking; and this Government have them. What is it that is really worrying them and why do they come to us with an

an incomplete plan telling us as if we are children, " This does not affect Indians ; therefore you can pass this " ? Surely, Sir, the popular side in the Assembly should have been credited by the Executive Government with a little more commonsense.

Sir, I am very nervous about the risk of wider application of this Bill beyond Communists, and this having been referred to by various speakers before me I do not propose to dwell on it. But I cannot understand the reason why the Government of India propose by this Bill to leave, shall I say, the profession of preaching Communism open to Indians. I wish to warn this House that these are reasons for caution rather than for rash and summary consideration of the Bill. As the Government of India have powers which they can exercise, I really wonder why the Government are opposed to circulation of this Bill. It is possible that the Provincial Governments may have a great deal of useful information to give. It is not as if the Government have no powers at all and are not able therefore to deal with the danger in the meantime. All that I understand the position to be is that Government say, " We have powers ; we do not like to use Regulation III ; we therefore want these fresh powers from you ". My only reply to the Honourable the Home Member, anxious as I am for Bolsheviks and Communists to be kept out of India, is, you must take us into your fullest confidence and until you disclose to us your full policy we cannot possibly consider such a Bill.

We have been told, Sir, of the dangers of Communism entering India. May I ask whether Government have considered why and how Bolshevism happens to flourish in any country in the world ? I suggest it to the Treasury Benches that it is the Government in India who prepare the soil for Communism in India (Hear, hear) and even fertilise it with their anti-Indian policies in various ways. One need only mention the extremely short-sighted and orthodox policy regarding military training for Indians and the currency and financial policy in India (Hear, hear), a policy which has ruined the cultivator, in whose name several colleagues of mine have pleaded for support to this Bill to-day ; increasing unemployment amongst Indians, to which the Government continue to turn a deaf ear ; increasing the poverty of the masses, increasing depression of trade, commerce, and industry, decreasing the purchasing power of the cultivator, which are all very sure causes for the discontent of the subject classes in India.

Communist tendencies are more foreign to India than to any other nation in the world. If the Government of India would lay down as their goal a contented India, then Communism dare not even peep in. Should the Government continue to treat India as the milch cow of England, the danger referred to by the Honourable the Home Member would continue to increase, despite any number of Bills of the nature before the House being passed by this Legislature. (Applause).

Mr. N. M. Joshi : Sir, this Bill is admittedly aimed at Communists and the spread of Communist doctrines in this country. It must equally be admitted that the Communists are not the only persons and Communist doctrines are not the only doctrines which are aimed at by this Bill. Sir, it is also true that the present industrial unrest has prompted the Government of India to introduce this Bill. Well, Sir, I am not a Communist, but to the extent to which Communism aims at substituting

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the Socialistic and the co-operative basis for the economic and the social structure of our society in the place of the capitalistic and competitive basis, Sir, I have strong sympathy with Communism. I also take part, though a very humble one, in certain activities connected with the industrial unrest.

It is true that even the Communists in India or perhaps outside may not like to class themselves with me, and I may also perhaps not like to class myself with them. I think it would have been much better if there had been someone in this House who called himself a Communist, in order that he should have been able to defend himself and his doctrine. I go still further. Some Communists advocate violence. But there may be some Communists who may not advocate violence. I therefore think that there ought to have been someone in this House who would accept the description given in clause 2 of this Bill as applicable to himself. Sir, I do not believe in the advocacy of force or violence. But I feel, Sir, that there are people who may not like to take an oath of non-violence because they know that they have sometimes to deal with people who do not believe in non-violence, but believe only in violence. Sir, clause 2 (a) of this Bill penalizes the advocacy of certain doctrines which do not necessarily involve the use of force or violence. For instance, the promotion of enmity or hatred between classes is included as one of the items in clause 2 (a). Certainly the promotion of hatred between classes does not require the use of force or violence, and moreover it is a phrase which can be applied to anyone who protests against the exploitation by capitalists of the working classes. Those people who take part in the labour movement do not care to promote hatred between classes. We do not hate any class, but we certainly hate the system by which society is divided into classes whose interests are in conflict with each other. Clause 2 (b) of this Bill deals with certain acts which need not necessarily involve the use of force or violence. Clause 2 (c) of this Bill penalizes membership of an association. I therefore think that, although I am not a Communist, it is not difficult for me to decide that the Bill must be opposed with all the force which the Members of this Assembly can command. It is a Bill which aims at holding certain doctrines and also against the expression of those doctrines. It also penalizes membership of an association. Well, Sir, I feel that if the Government of India wishes that industrial unrest in this country should not be exploited by Communists, they cannot do so by this Bill. It is easy to pass this Bill, but certainly you will not be able to get rid of the industrial unrest only because you pass this Bill and will be able to deport one or two English people out of this country. The industrial unrest is certainly not due to the presence of Communists in this country. It may be possible that those Communists who live in this country may exploit the industrial unrest. I would like to know what the Government of India have done to see that there will not be industrial unrest in this country. It is useless to try to apply remedies which will not remove the root cause. If you do not want the working classes in this country to imbibe Communist doctrines, the working classes in this country must be sure that their goal will be achieved not by holding Communist doctrines or by following Communist methods, but their aim can be achieved in this country by following the method of speedy evolution and by the method of negotiation and argument. Is the conduct of the Government of India and of

the employers in this country such that the workers in this country can be sure that their goal, their ambition, can be achieved in this country by the method of negotiation, by the method of argument, and by holding doctrines which are not Communistic? Well, Sir, in this matter I have got some experience, and with that experience I am not able to say that the Government and the employers have by their conduct shown that the method of argument and of negotiation will give to the workers what they want. I may give you some experience of my own. Three years ago Sir Clement Hindley, the Chief Commissioner of Railways, and the Agent of the Great Indian Peninsula Railway refused to meet me as the President of a conference held by the Great Indian Peninsula workers, on the ground that I was an outsider. Sir, the Agent of the Great Indian Peninsula Railway, as my friend Mr. Srinivasa Iyengar has stated, was waiting for an Englishman named Mr. Bradley to appear with whom he would very willingly talk and negotiate. Was the Agent of the Great Indian Peninsula Railway thinking of the Englishman's monopoly, not only in the superior services in this country but in the service of trade unionism in this country? I hold in my hand a letter which I received only two days ago in Simla. The letter is from the District Magistrate of Sholapur, which reads :

“ I have the honour to say that I regret that I cannot discuss the Sholapur Mill strike with the President of the Bombay Textile Union. As President you have no title to be heard in Sholapur affairs.”

Sholapur is a town in India, and is in the Bombay Presidency, and I want to know why I have no title as President of the Bombay Textile Union to be heard by the District Magistrate of Sholapur. I feel, Sir, the District Magistrate of Sholapur is an Englishman and that is why he refused to discuss the question with me. Perhaps if it had been some Englishman, he would have been willing to discuss it with him. The District Magistrate would have been willing to negotiate with a man of his own colour and belonging to his own race. I ask the Government of India whether their attitude towards the Bardoli affair was such as to promote faith in the method of argument or in the method which the *Times of India* described as Bolshevik. What is the attitude of the Government of India towards labour problems? Do they really show that by argument and by discussion, workers will be able to secure improvement in their conditions? I feel, Sir, that that is not my experience. In India, there is at present unemployment among the working classes. I am sure that the Honourable and gallant Baronet from Bombay will not deny that there is unemployment in this country. But the Government of India instead of passing measures to protect the working classes which are unemployed deny the very existence of unemployment in this country. I want to know, Sir, what the Government have done for the working classes. If a Communist tells the working classes that there is a method by which their distress could be remedied, by which the unemployment problem could be solved, why should he be prevented from doing so? The Government of India are aware that the working classes in this country suffer during sickness. What are the Government of India doing? The Government of India have now issued a circular on this subject which may take five years to fructify. Have not the working classes in this country, in big industries at least, suffered on account of unprovided old age? What have the Government of India done in this respect? What have the Government done to show to the working

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classes that by the method of discussion and by the method of argument the working classes will be provided for during their old age? I therefore feel that the conduct of the Government of India towards labour is not such as to produce in them a faith that the method of argument and the method of negotiation will succeed in this country. Moreover, if the working classes are to have faith in the method of argument and in the method of negotiations and not in the method of force, and violence or of direct action, then they must feel that their conditions will be improved and that the goal of their ambition will be achieved by the former and not by the latter. The working classes in this country are not willing to remain mere wage-slaves any longer, all through their lives and for all generations. They think that if the capitalist is necessary for an industry, the labourer and the wage-earner is as much necessary for it. They therefore want to be an equal factor in the industrial system and they want to have an equal share in the management and control of the industry. Is the conduct of the Government and of the employers such that the working class man can feel as we feel in politics that at least one day in his life he can have industrial self-government? Is the conduct of the Government and of the employers such that the working class man can feel that during his lifetime and before many generations are over he can become a free man and an equal partner with the capitalist in the management of the industry? Sir, the working class man has no hope to-day. The working classes like ourselves have also an ambition that they should be equal with any other men in this country. The working class man has a right to the possession of all the civic rights which others possess. Is the conduct of the Government in this country such that he may have faith that within his lifetime he can secure all the civic rights? If the working classes in this country cannot have this hope, then certainly by deporting one or two Englishmen, you are not going to stop the spread of Communist ideas in this country.

Mr. K. Ahmed : What about Sir Purshotamdas Thakurdas and Mr. G. D. Birla?

Mr. N. M. Joshi : I make no difference between the European and Indian capitalists as officers of Government make a difference between English trade unionists and Indian trade unionists. (Hear, hear). It is said that through the influence of these Bolshevists, several strikes have taken place in this country. I feel, Sir, that that is an entire misconception. The Honourable Member Mr. Moore said that the strike at Jamshedpur was due to the influence of a Communist. I happen to know the people who are taking part in that strike. I know Mr. Homi not for one year but for several years. I can say that he is not a Communist. What about Lillooah and the South Indian Railway strike? Sir, in both these strikes, there was an economic issue involved. Even the Government of India in reply to questions in this House stated very clearly that both these strikes were due to industrial issues. They have stated in this House very clearly that the Lillooah dispute was due to the dismissal of some workmen at Lillooah. The Government themselves will admit that the dispute on the South Indian Railway was due to the policy of retrenchment which the railway authorities followed there. I therefore feel, Sir, that it is wrong to assume that these Communists are at the bottom of all the strikes and disputes in India. If the Government think that by deporting a few Englishmen they are going to stop the spread of strikes

in this country, as my Honourable friend Sir Hari Singh Gour would have us believe, then they are very much mistaken.

There is only one more word which I want to say in conclusion. My Honourable friend Sir Victor Sassoon said that this Bill intended among its other objects to save me from being killed by the Bolsheviks or by the Communists.

Sir Victor Sassoon : Eliminated.

Mr. N. M. Joshi : Well, I will not conceal the fact that although I sometimes co-operate with people who are known as Communists, there are also occasions when I have my differences with them. We have sometimes friendly rivalry and competition, and sometimes the rivalry and the competition also become unfriendly. But, Sir, let me say that although we may have our differences, although there may be competition between these people who call themselves Communists and those people who like myself are not Communists, yet we do not wish that those people who may be called our rivals should be deported in order that our work may be easy and smooth. Moreover, I do not feel myself that by deporting those people who

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may be our rivals in the trade union movement our work will be made easier. I know what happens in politics and will happen in the labour movement. We who take part in the labour movement know that the deportation of Communists will not make our work easy. I have faith that the policy and the method which I am following in the labour movement is the right one, and my faith is that, if I continue and if others continue to carry on this movement on those lines and with that policy in view, we have no fear from the Communists even though they are left free by the Government. We wish that these Communists should have the same freedom which we have to preach their doctrines to the masses of this country because we have no fear that the Communist doctrines will succeed even in free competition with those doctrines which I hold and the policy which I follow. I therefore oppose this Bill.

The Honourable Mr. A. C. McWatters (Member for Industries and Labour) : Sir, if I intervene in this debate it is on account of some of the arguments which have been put forward by my Honourable friend Mr. Joshi and in some of the earlier speeches the general tone of which was to insinuate that the Bill which we are discussing to-day, and coupled with it possibly some clauses of another Bill for which I am responsible, are evidence that Government's policy towards labour is a policy which is hostile, antagonistic to labour, a policy dictated by capitalists. Now, Sir, I think it most important if we are to consider the Bill before us without prejudice that these misconceptions should be cleared away. I do not propose to discuss the clauses of the Trade Disputes Bill which are considered as having a repressive effect on labour and labour's aspirations because there will be a later opportunity to do so. I would only like to assure the House that there has been the greatest misrepresentation about those clauses, that they do not do what many of their supporters and many of their opponents have thought they do, that they are borrowed from the English law, a country in which the right of labour to combine in order to obtain fair terms of employment from their employers is as much recognised as the Magna Charta of which we heard the other day ; and if we are copying that legislation we are in no way antagonistic to the claims of labour to indulge in legitimate combination or in legitimate

[Mr. A. C. McWatters.]

strikes. We are not even aiming at sympathetic strikes. What we are aiming at is something much more insidious and much more dangerous—the general strike. This Bill also is an attempt to save labour from being led away by anti-social and dangerous agitators into courses which must in the long run be to the disadvantage of labour itself and that is my main point. Both this Bill and the clauses of the other Bill are intended to safeguard both the public and labour, because if the general strike, if the sort of activity into which the agitators with whom this Bill deals would lead labour, if that fails, who will suffer by it? Labour. Who will lose employment as a result of it? Labour. Labour is the loser in all cases, and therefore I confidently assert—and it is no paradox—that it is in the interests of labour that we are bringing forward these proposals which are accused of being of a reactionary character. In India the danger is greater than in countries where trade unionism has had generations of experience and where men have learnt by experience the consequences of precipitate action. Out here labour has to some extent to be protected against itself. We really do desire to save the incipient labour union movement from being led away in spite of themselves by the activities of people whose aims are certainly not in the interests of labour.

Now, Sir, there is much which was said by Mr. Joshi with which I agree. I do not for a moment suppose or suggest that this Bill or the clauses of the Trade Disputes Bill are going to cure industrial unrest. I am not so foolish as that. If our policy consisted only of preventive measures it would be a policy which this House would justly criticise. The House has a right to demand a constructive policy. I agree too that the most fertile soil for the growth of Communism is economic discontent. I entirely agree that it is our duty both to prevent the dangers which we think we see coming and also put forward at the same time a positive policy for the improvement of the economic conditions of labour, and I would ask the House to believe that Government are fully alive to that aspect of the question. Those who have been in this House for the last five or six years will probably, if they think it over, realise what a great volume of labour legislation has been dealt with by this House, in which this House has played its part. There has been a complete revision of the Factories Act, the Mines Act, the Trades Union Bill, the Workmen's Compensation Bill and so on, and there are a large number of measures, some of them initiated at Geneva, which are under our active consideration. If we cannot move as fast as Mr. Joshi and his friends may like we may be open to criticism. We are open to suggestions for any means of improving our methods and speeding up our programme. But my point is this. Even if Mr. Joshi and his friends think we are too slow, it does not mean that there is no necessity for preventive action. If he thinks our positive programme is inadequate or delayed, still it is quite an independent question whether the powers which we are asking the House to give Government to-day are powers they should have or should not have. In my opinion you cannot obtain the atmosphere and the soil suitable for a positive and constructive policy until you remove these dangerous anti-social activities.

I do not propose, in order to prove my case that there is danger, to quote speeches which may have been delivered, which many people know were delivered in different parts of India during the recent strikes. I would only refer the House to one document, a document which was published in every newspaper in India about the 31st of August last—a

manifesto from the headquarters of the Workers' and Peasants' Organisation in India. It is no secret document. It is a document which probably everyone has seen and that document, mentioning both this Bill and the Trade Disputes Bill, went on to advocate in the most open terms that labour in India should indulge in a general strike. Now, Sir, that is exactly my point. Labour in India is being misled, being misled into a policy which can only end in the defeat of labour and the injury of its interests ; and we are entitled to protect labour from an organisation whose very name smacks of the spiritual home of which Sir Victor Sassoon spoke this morning.

Sir Purshotamdas Thakurdas : Is that being done by Indian agents or by British or foreign Communists ?

The Honourable Mr. A. C. McWatters : I have not got the names of the executive of that organisation before me but I should be surprised if the Honourable Member did not find that some of the gentlemen on that executive come from outside India. However, I cannot prove that point here. Apart from that, my answer to his question is a remark which he himself made. He really gave the answer to his own question in the course of his speech when he asked why we were only dealing with British and foreign Communists and not with Indian Communists. He went on in the very next sentence to say, I have got it written down here, that Communism is entirely foreign to the spirit of this country. Well, if that is so, who is bringing it in, I should like to know ? It is foreign to the spirit of the country, and the people who are leading away the more unsophisticated labourers and workers in India are these foreign Communists. And why ? Because insignificant as these men are in their own country, when they come out here they are treated as the real genuine article and get double the attention paid to them in their own country.

Sir Purshotamdas Thakurdas : The Honourable Member evidently thinks that it cannot be done by post and by reading literature ; that no Indian can take it up by reading literature and preaching it afterwards to the labourers.

The Honourable Mr. A. C. McWatters : It does not interfere with my point at all. My first point is that the danger exists and my second point is that the danger is urgent ; and the reason why it is urgent is because the Indian trades union movement and Indian industrial development is at a comparatively early stage and therefore, when we see this poison creeping in, it is our duty to act now and not later. What would you think of a doctor who, seeing his patient was suffering from blood poisoning, waits until the symptoms developed into those of a fatal disease ? That is what this House or rather some Members of this House are asking us to do. What we wish to do is to act now because we see the danger and because we believe that this Bill will at any rate assist in preventing this danger spreading. I believe confidently that Mr. Joshi himself in his sober moments will realise that this Bill will help him and the cause which he has at heart far more than anything else can possibly do. When in Bombay, Mr. Joshi is struggling against Communist activities and we hope he will struggle successfully and we wish to give him all the help we can. But whatever happened in Sholapur—

[Mr. A. C. McWatters.]

and I do not know anything of the incidents that happened there—he enjoys the entire confidence of Government here and we trust him. That is all I have to say to the House except to appeal to the House to treat this not as a party matter. It is a matter in which a House of experienced and intelligent men can form their own opinion as to whether the danger really exists or whether it does not ; and although it is too much to suppose that the labourers and working men can realise that what we propose is for their good, this House is able to take a wider view.

Mr. President : To-morrow being a non-official day, this debate must go over to Friday. This House now stands adjourned till to-morrow morning at 11 o'clock.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 13th September, 1928.