

13th March 1928

THE
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume II

(8th March to 27th March, 1928)

SECOND SESSION

OF THE

THIRD LEGISLATIVE ASSEMBLY, 1928



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LEGISLATIVE ASSEMBLY.

Tuesday, 13th March, 1928.

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

MEMBER SWORN.

Mr. K. Sanjiva Row, M.L.A. (Finance Department: Nominated Official).

QUESTIONS AND ANSWERS.

INDIAN ASSISTANT STATION MASTERS IN THE RS. 260 GRADE ON THE EAST INDIAN RAILWAY.

416. *Maulvi Muhammad Yakub: Is it a fact that there are no Indian assistant station masters on the East Indian Railway in the Rs. 260 grade, and that they are not promoted over this grade?

EMPLOYMENT OF TWO ANGLO-INDIAN LADIES IN THE PLACE OF THREE INDIAN TYPISTS IN THE DIVISIONAL SUPERINTENDENT'S OFFICE, EAST INDIAN RAILWAY, MORADABAD.

417. *Maulvi Muhammad Yakub: Is it a fact that three Indian typists of the Divisional Superintendent's Office, East Indian Railway, Moradabad, were brought under reduction, provided for elsewhere, and their places have been filled up by two Anglo-Indian ladies on higher emoluments?

OUSTING OF TWO INDIAN CONTROLLERS OF THE EAST INDIAN RAILWAY AT MORADABAD FROM THEIR QUARTERS.

418. *Maulvi Muhammad Yakub: Is it a fact that two Indian Controllers of the East Indian Railway at Moradabad were made to vacate their quarters to make room for Anglo-Indians?

CASUAL LEAVE OF INDIAN STATION MASTERS AND ASSISTANT STATION MASTERS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

419. *Maulvi Muhammad Yakub: Is it a fact that since Mr. Rogers is the Staff Superintendent in the East Indian Railway, Moradabad Division, even Indian station masters and assistant station masters are made to wait for nine months and over to get even a day's casual leave?

PROMOTION OF INDIANS TO "C" CLASS GUARDS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

420. ***Maulvi Muhammad Yakub**: Is it a fact that Mr. Rogers, Staff Superintendent of the East Indian Railway, Moradabad Division, has decided and ordered that the vacancies created by European and Anglo-Indian guards should only be filled up by Europeans and Anglo-Indians; and that no Indian should be taken as a "C" class guard?

PROMOTION OF INDIAN UPPER SUBORDINATES TO OFFICIATE AS ASSISTANT TRAFFIC SUPERINTENDENTS ON THE EAST INDIAN RAILWAY.

421. ***Maulvi Muhammad Yakub**: Is it a fact that since the amalgamation of the Oudh and Rohilkhand Railway with the East Indian Railway, no upper subordinate Indian belonging to the Oudh and Rohilkhand Railway section has been allowed to officiate as an Assistant Traffic Superintendent?

TRAFFIC INSPECTORS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

422. ***Maulvi Muhammad Yakub**: Is it a fact that four more Traffic Inspectors have been sanctioned in the Moradabad Division of the East Indian Railway, and that efforts are being made to give these posts to Anglo-Indians though qualified Indians are available?

Mr. A. A. L. Parsons: With your permission, Sir, I propose to answer together questions Nos. 416 to 422.

Government have no information, but are making enquiries.

QUARTERS OF INDIAN UPPER SUBORDINATES IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

423. ***Maulvi Muhammad Yakub**: (a) Is it a fact that there are no servants' quarters attached to the Indian type of quarters for upper subordinates in the Moradabad Division of the East Indian Railway and, if not, why?

(b) Is it also a fact that the rooms and roofs of the quarters mentioned above are much smaller and lower than those of the Anglo-Indian or European quarters?

(c) Why is this distinction made?

Mr. A. A. L. Parsons: Government have no information, but I am having a copy of the Honourable Member's question sent to the Agent of the East Indian Railway for any action he may think to be required.

NUMBER OF SCHOLARSHIPS AND STIPENDS ALLOTTED TO PUPILS IN THE GOVERNMENT INDUSTRIAL SCHOOL AT DELHI.

424. ***The Revd. J. C. Chatterjee**: (a) Will Government be pleased to state how many scholarships and stipends are allotted to pupils in the Government Industrial School at Delhi?

(b) How many of these scholarships or stipends, if any, are held by pupils belonging to the depressed classes?

(c) In view of the acceptance of the Resolution moved by Mr. Jayakar in the Legislative Assembly, are Government prepared to direct, that a reasonable proportion of these stipends and scholarships be reserved for pupils belonging to the depressed classes?

The Honourable Sir Bhupendra Nath Mitra: (a) The following scholarships and stipends are allotted:

- (i) 15 scholarships of the value of Rs. 4 per mensem each to deserving boys after passing the 5th Primary Examination.
- (ii) 10 stipends of the value of Rs. 4 per mensem each to the sons of poor artisans and orphans after passing the 3rd Primary Examination.
- (iii) 25 scholarships at Rupee 1 per mensem each to deserving boys on their passing the 3rd Primary Examination.

(b) None of these scholarships or stipends are reserved for pupils belonging to the depressed classes and the figures as to how many are at present held by such classes are not readily available.

(c) In the Industrial School encouragement has been given to children of the artisan class. The suggestion made by the Honourable Member will be considered.

The Revd. J. O. Chatterjee: Are Government aware that the depressed classes in Delhi usually belong to the artisan class because they work with their hands in the leather industry? And that being so, will Government be pleased to give them some scholarships in the Delhi Industrial School, as there is not at present a single scholarship held by a boy of that class?

The Honourable Sir Bhupendra Nath Mitra: As I have already said, the suggestion made by the Honourable Member will receive due consideration.

UNSTARRED QUESTIONS AND ANSWERS.

ISSUE OF RETURN TICKETS AT REDUCED RATES ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY, ETC.

376. **Mr. Gaya Prasad Singh:** (a) Are Government aware that on the Bombay, Baroda and Central India Railway,

- (i) return tickets at reduced rates are not issued?
- (ii) water is not provided in third class lavatories?

(iii) accommodation in the second class on the Malwa section is very limited, the carriages being too small; and as there is no intermediate class, there is much overcrowding in the second class?

(iv) many of the second class carriages are not provided with fans even in the hot weather?

(b) What steps do Government propose to take to remedy these shortcomings?

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

(a) (ii), (iii) and (iv) and (b). No complaints have come to the notice of Government, but a copy of the Honourable Member's question and this reply have been sent to the Agent of the Railway who will no doubt look into the matters mentioned.

RETIRING ROOM FOR INDIAN INSPECTORS AT KOTAH JUNCTION ON THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

377. **Mr. Gaya Prasad Singh:** (a) Are Government aware that at Kotah Junction railway station (Bombay, Baroda and Central India Railway) there is a room marked "European Inspectors' Room," but there is no such room for Indian Inspectors?

(b) Will Government kindly state if there are no Indian Inspectors on that line; and what is the reason for this racial discrimination?

Mr. A. A. L. Parsons: (a) and (b). No. There is also a retiring room for Indian Inspectors.

DATE OF THE EXPIRATION OF THE CONTRACT WITH THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

378. **Mr. Gaya Prasad Singh:** Will Government kindly state when the agreement or contract, if any, with the Bombay, Baroda and Central India Railway expires; and whether it is intended to renew it, or to bring the Railway under State management?

Mr. A. A. L. Parsons: The contract with the Bombay, Baroda and Central India Railway is determinable 13 years hence, on the 31st of December 1941. The question whether it should then be renewed has not been considered.

ANNUAL FAIR AT PUSHKAR (AJMER).

379. **Mr. Gaya Prasad Singh:** (a) Is it a fact that about the first week of November, on the occasion of the Full Moon, an annual fair is held at Pushkar (Ajmer), where horses, camels, bullocks, etc., come for sale, and is attended by many thousands of persons?

(b) Is it not a fact that the fair is held on the lands of private individuals?

(c) Do Government realize ground rents or any sort of charges from the owners of horses, cattle, shops, etc., and why? What arrangements are made for affording sanitary and medical facilities to those attending the fair? What was the total amount collected by Government during the last Pushkar fair, and how much was spent for providing sanitary and medical facilities, etc., to those attending the fair?

Sir Denys Bray: (a) Yes.

(b) Pushkar is a jagir village, and the fair is held partly on jagir land, partly on land belonging to private individuals.

(c) Government make no realisations and incur no charges on account of the fair. A capitation tax on the sale of animals is recovered by the District Board, who are responsible for defraying the expenses connected with sanitation, medical relief, upkeep of roads, etc.

CENTRE FOR THE EXAMINATION OF CANDIDATES FOR ADMISSION TO THE MERCANTILE MARINE TRAINING SHIP "DUFFERIN."

380. Mr. Gaya Prasad Singh: (a) Is it a fact that examinations for the selection of Indian youths for training for careers in the Mercantile Marine in the Training Ship "Dufferin," were some time back held in Bombay, Calcutta, Madras, Lahore, Lucknow, and Rangoon; and that 30 candidates have been selected for training?

(b) Will Government kindly state why Patna, the capital of the Province of Bihar and Orissa, was not chosen as a place for examination? Is it a fact that no one from Bihar and Orissa has been selected?

(c) Why was Lucknow selected as a place for examination, and not Allahabad, the capital of the United Provinces?

The Honourable Sir George Bainy: (a) Yes.

(b) Patna was not selected as a centre for examination as there was only one examinee from that place. The reply to the latter part is in the affirmative.

(c) Lucknow was chosen in preference to Allahabad as it appeared to be more convenient to the majority of candidates from the United Provinces.

EMPLOYMENT OF WOMEN UNDERGROUND IN MINES.

381. Mr. Gaya Prasad Singh: Is it a fact that the greatest number of women labourers are employed in the Province of Bihar and Orissa below ground in coal mines? What steps have been taken to withdraw them from such works?

The Honourable Sir Bhupendra Nath Mitra: The answer to the first part of the question is in the affirmative. As regards the second part of the question the attention of the Honourable Member is invited to the reply given to question No. 83 asked by Mr. N. M. Joshi in the Legislative Assembly on the 1st February 1928.

SMUGGLING OF OPIUM FROM NEPAL.

382. **Mr. Gaya Prasad Singh:** (a) Has the attention of Government been drawn to the "Report on the Administration of the Excise Department in the Province of Bihar and Orissa" for 1926-27 (page 2) in which it is stated that "Smuggling (of opium) from Nepal is on the increase, and that there seems to be reason to believe that there has been no decrease in the smuggling of Malwa opium"; and again at page 18, "Smuggling from Nepal is clearly on the increase" and "the figures suggest that smuggling from Malwa is as brisk as ever"?

(b) What steps have been taken to check this evil?

The Honourable Sir Basil Blackett: (a) The Government have seen the passages quoted.

(b) The preventive arrangements in Central India and Rajputana were considerably strengthened in 1926 and a special Department called the "Rajputana and Central India Opium Contraband Department" has been established with a view to check smuggling from Malwa. As the Honourable Member is no doubt aware, the possibility of securing the discontinuance of cultivation in the Malwa States is at present being investigated by a Committee appointed by the Government. Measures for checking smuggling from Nepal are being considered.

CONSTRUCTION OF AN AERODROME IN MUZAFFARPUR.

383. **Mr. Gaya Prasad Singh:** Is there any proposal to establish an aerodrome in Muzaffarpur, and to keep an aeroplane there, military or civil? If so, what is the estimated cost?

Mr. G. M. Young: There is no such proposal.

ESTABLISHMENT OF PROVINCIAL PUBLIC SERVICE COMMISSIONS.

384. **Mr. Gaya Prasad Singh:** Have Government given their sanction to the establishment of the Public Service Commissions in the Provinces? If so, in which of the Provinces, and since when?

The Honourable Mr. J. Crerar: The making of a rule under section 96-B (2) of the Government of India Act authorising legislation by the Legislatures of Governors' provinces to create such Commissions is under consideration.

RECRUITMENT OF 75 PER CENT. OF INDIANS ON THE COMPANY-MANAGED RAILWAYS.

385. **Mr. Gaya Prasad Singh:** (a) Will Government kindly state the percentage of Europeans and Indians recruited on the East Indian Railway, Great Indian Peninsula Railway, Bombay, Baroda and Central India Railway, Bengal and North-Western Railway, North-Western Railway, Rohilkhand and Kumaon Railway, Bengal Nagpur Railway, South Indian Railway, and Assam Bengal Railway, since the introduction of the Lee Commission concessions to Indian Railways?

(b) If the 75 per cent. Indian recruitment has not taken place on any of the Railways, do Government propose to consider the question of stopping Lee concession benefits to the officers of those Railways? If not, why not?

(c) What steps have Government taken to ensure the 75 per cent. Indian recruitment on the Company Railways?

Mr. A. A. L. Parsons: (a) The Honourable Member will find the information he desires in Appendix G of the Report by the Railway Board on Indian Railways for the year 1926-27, Volume I, of which there are copies in the Library. The figures for the East Indian Railway, Great Indian Peninsula Railway and North-Western Railway are included under State-worked Railways

(b) No. The Honourable Member would appear to have overlooked the exact terms of the recommendation of the Lee Commission which has been accepted by Government. They run as follows:

"The extension of existing facilities (for training) should be pressed forward as expeditiously as possible in order that recruitment in India may be advanced as soon as practicable up to 75 per cent. of the total number of vacancies in the Railway Department as a whole, the remaining 25 per cent. being recruited in England."

(c) The Administrations of Company-managed Railways were asked if they would follow the policy of Indianisation recommended in para. 42 (d) of the Lee Commission Report and accepted by the Government of India in respect of State-worked lines. They all agreed to do so.

PROVISION OF A HYDRANT TO SUPPLY DRINKING WATER TO INDIAN TROOPS AT JHANSI ON THE GREAT INDIAN PENINSULA RAILWAY.

386. **Mr. Gaya Prasad Singh:** Are Government aware that on the platform of Jhansi railway station (Great Indian Peninsula Railway) there is a water hydrant marked "Drinking water for British troops", but there is none for Indian troops? Why this racial discrimination in the matter of drinking water?

Mr. A. A. L. Parsons: Government have no information on the subject. A copy of the question and this answer will be forwarded to the Agent of the Railway, who will no doubt be prepared to put in another hydrant, if there is need for it.

LOSS CAUSED BY THE FIRE IN PESHAWAR IN OCTOBER LAST.

387. **Mr. Gaya Prasad Singh:** (a) Will the Government kindly state how many houses were burnt in the fire which occurred in Peshawar about the 7th and 8th October last; what was the approximate amount of property destroyed; and how many persons were rendered homeless?

(b) Is it a fact that the Peshawar Municipal Committee resolved to grant a sum of Rs. 20,000 for the relief of the poor who suffered in the outbreak of fire, but that the Deputy Commissioner as President of the Committee disallowed the sum? If so, will Government kindly lay on the table copies of the Resolution of the Municipal Committee, and of the orders of the Deputy Commissioner thereon disallowing the grant?

Mr. G. S. Bajpai: (a) and (b). The Chief Commissioner has been asked to furnish the information for which the Honourable Member asks. It will be supplied to him when received.

NUMBER OF HIGH AND MIDDLE SCHOOLS FOR GIRLS IN THE NORTH-WEST FRONTIER PROVINCE.

388. **Mr. Gaya Prasad Singh:** How many girls' high schools and how many girls' middle schools are there in the North-West Frontier Province, maintained by the Government, the District Boards, and the Municipal Boards, separately? If there are no girls' high schools, what steps, if any, are being taken to establish such schools?

Mr. G. S. Bajpai: A statement showing the number of high schools aided by Government, district board middle schools, municipal board middle schools and aided middle schools for girls in the North-West Frontier Province has been placed in the Library of the House.

HONORARY JUDICIAL OFFICERS IN THE NORTH-WEST FRONTIER PROVINCE.

389. **Mr. N. C. Kelkar:** (a) Will Government state the number of Honorary Additional District Magistrates, Honorary Sessions and Additional Judges, Honorary Magistrates, First, Second and Third Class, and Honorary Munsiffs, in the North-West Frontier Province?

(b) Are these offices held for effective judicial service or only as marks of position and dignity? If judicial functions are exercised by these persons, what provision is made for securing educational qualifications required for efficient judicial administration at their hands?

(c) Is the creation of such honorary offices due to considerations of economy? Will Government state the number of judicial cases decided by each of these categories of judicial officers during the last year?

(d) What would be the total expenditure for these posts if qualified stipendiary judicial officers were appointed?

(e) What are the measures now in force for recruitment and training of such judicial officers?

Sir Denys Bray: (a) A tabular statement is appended.

(b) The offices are held for effective judicial service. Only qualified persons are appointed.

(c) The creation of such honorary offices is not entirely due to considerations of economy. The number of judicial cases decided during the last year is shown in the statement.

(d) The information is not available and cannot be obtained without elaborate enquiry into the conditions prevailing in each District.

(e) Honorary Judicial Officers are appointed from qualified persons on recommendation by the District authorities and after consultation with the Judicial Commissioner. They received no preliminary training but are in many cases retired Government officials with ample judicial experience.

Statement showing the number of Honorary Officers serving in the North-West Frontier Province and their outturn during the year 1927.

Districts.	Honorary Additional District Magistrates.		Honorary Sessions and Divisional Judges.		Honorary Magistrates, 1st Class.		Honorary Magistrates, 2nd class.		Honorary Magistrates, 3rd class.		Honorary Munsiffs.		
	Number of Officers.	No. of cases decided.	No. of officers.	No. of cases decided.	No. of officers.	No. of cases decided.	No. of officers.	No. of cases decided.	No. of officers.	No. of cases decided.	No. of officers.	No. of cases decided.	
													Criminal.	Civil.
Peshawar	4	309	*1	17	36	2	1262	6 Benches	1220	..	..	1 2 benches	485 357
Hazara	1	96	..	..	..	2	206	..	..	..	..	3	177
Kohat . . . . .	..	..	..	..	..	..	..	1	61	..	..	1	425
Bannu	1	269	..	..	..	..	..	1 1 bench	167 475	1	17	2	340
Dera Ismail Khan	2	161	..	..	..	2	..	1 1 bench	17 66	1	24	4 1 bench	299 213
Total	8	835	1	17	36	6	1467	3 8 benches	345 1761	2	41	11 3 benches	1726 570

* Remark :—Was appointed only from 21st November 1927.

POPULATION OF PESHAWAR CITY IN 1911 AND 1921, RESPECTIVELY, ETC.

390. **Mr. N. C. Kelkar:** (a) What was the population of the Peshawar City in 1911 and 1921 respectively? Also what was the strength of the population of Hindus, Sikhs, Muhammadans, Christians, and others in these two years? Have the limits of the Peshawar City for the purpose of protection been extended since 1911?

(b) Is it a fact that a large number of Hindus and Sikhs have migrated from the adjacent territory into Peshawar City for want of proper protection?

Sir Denys Bray: (a) I would refer the Honourable Member to the Census Reports of 1911 and 1921. As regards the limits of the Peshawar City for the purpose of protection, there has been no extension of the City wall, if that is what the Honourable Member means. Additional police have, however, been posted in the City for the purpose of patrolling and protecting the suburbs.

(b) No, Sir.

SANITATION IN PESHAWAR CITY.

391. **Mr. N. C. Kelkar:** Is it a fact that sanitary conditions in Peshawar City have become worse owing to the congestion of population? And if so, what steps are Government taking to remedy the same?

Mr. G. S. Bajpai: Portions of Peshawar City have been overcrowded for several years, and the congestion in these areas has become worse since the disastrous fire of 1927. A city extension scheme has now, however, been undertaken. There are no grounds for thinking that sanitary conditions in the city have deteriorated of recent years. New water supply and drainage system are on the contrary being installed.

NUMBER OF PUBLIC PROSECUTORS AND ASSISTANT PUBLIC PROSECUTORS IN THE NORTH-WEST FRONTIER PROVINCE.

392. **Mr. N. C. Kelkar:** (a) What is the number of Public Prosecutors and Assistant Public Prosecutors in the North-West Frontier Province?

(b) What is the percentage of Hindu and Muhammadan holders of these posts at present?

(c) What is the total number of barristers and pleaders in the North-West Frontier Province, and how many of them are Hindus, Muhammadans and Sikhs?

Sir Denys Bray: (a) Three. Two Public Prosecutors and one additional Public Prosecutor.

(b) All are Muhammadans at present.

(c) 236, as follows:

Hindus 121.

Muhammadans 100.

Sikhs 13.

Others 2.

SECOND STAGE—*contd.*

Expenditure charged to Revenue—contd.

DEMAND No. 72—MISCELLANEOUS.

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

“That a sum not exceeding Rs. 16,43,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Miscellaneous’.”

The Indian Statutory Commission.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muham-
madan Urban): Sir, I beg to move:

“That the Demand under the head ‘Miscellaneous’ be reduced by Rs. 3,40,000.”

Sir, the motion that I have placed before the House is a necessary corollary to the Resolution adopted by this House on the 18th February, last. That Resolution runs as follows:

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

The Demand to which my motion relates is for the expenditure of this very Commission which the House has decided it will have nothing to do with. I submit, Sir, that that decision stands and it is not open to the House to grant this Demand. The only course which is the logical result of the Resolution and the only course which is consistent with the dignity and honour of this House is to throw out this part of the Demand which I am attacking by my motion. It has to be remembered that when that Resolution was passed there were Honourable Members who voted for it and they were in a majority and there were those who voted against it. My humble submission to the House is that we—both of us, both those who voted for the Resolution and those who voted against it, are concerned equally with upholding the dignity and honour of the House. That being so, I submit that it is the duty of one and all of us to support my motion. It is true, Sir, that when a matter is before the House which is an open question every Honourable Member has the right to hold his own opinion and to speak and vote in accordance with that opinion. But in the present case I maintain that we have fully exercised that right and, not only that, but have wholly exhausted that right by taking the verdict of the House on the merits of the question. It is now the plain duty of all Members to enforce that verdict by throwing out this Demand. There is another aspect of the question so far as my Honourable friends who voted against the Resolution are concerned. I take it, Sir, that all of

[Pandit Motilal Nehru.]

them, officials and non-officials, elected and nominated, are staunch upholders of the constitution. I call upon them one and all to support the constitution by supporting my motion, as that is the only way in which they can support the constitution. There is yet another ground which I shall place before the House and upon which I claim that every Honourable Member should support my motion, and that is this. It will be remembered that we have been reminded in season and out of season that the Statutory Commission is a Parliamentary Commission, and that we, either in this House or outside it, have no voice either in the constitution or the procedure of the Commission. Well, that being so, it is Parliament who should in the ordinary course of things nurture its own child and not foist it upon us. It is Parliament who should call the tune and it is Parliament who should pay the piper. So far as we are concerned, we have refused even to listen to that tune. I therefore submit that there is no occasion for us to entertain this demand. I can understand that if we had accepted the Commission and proceeded to appoint a Committee to collaborate with it, there might have been some sense in our being called upon to contribute at least a part of the expenditure which would be incurred by our own Committee. As it is, however, we have done nothing of the kind. On the contrary, we have declared emphatically and in unequivocal terms that we shall have nothing to do with this Commission in any form or shape, and yet, Sir, we are asked to co-operate with it in the most substantial form, namely, that of finding the money for it,—and not only finding the money, which is for the legitimate work of the Commission, but to treat them as our guests and to pay even for the propaganda which they are carrying on against the Resolution of this House. We are asked to find the money for their triumphal progress in the country, while the Government is protecting these unwelcome guests against their own hosts by police cordons and by orders under section 144 of the Code of Criminal Procedure, and these orders are passed and enforced while the procession marches through a seething sea of black flags and occasional riots. The grim humour of the situation is only equalled by the atrocious demand and both are surpassed by the audacity with which the demand is made. I hope, Sir, and I am confident that the House will rise to the occasion and uphold its dignity and honour and not submit to the shabby treatment to which it has been subjected. I submit, Sir, that we should be stultifying ourselves and this House if we grant this Demand. I do not propose, Sir—but I should like to have your ruling on the subject—I do not propose on this occasion to go into the merits of the question as I maintain that those merits are now closed, and the House having pronounced upon them, it is not open to any Member to go into them. But should you rule, Sir, that it is open to us to discuss the whole thing, I would like to say a word or two on the merits as a whole.

Mr. President: What is the exact point the Honourable Member raises?

Pandit Motilal Nehru: The point I raise, Sir, is that so far as the merits of the question, namely, that of the constitution and of procedure of the Statutory Commission are concerned, it is not open to the House to discuss them afresh after it came to the decision which it did on the 18th February last; but should you hold that it is open, I would like to address the House upon that point also.

Mr. President: The established Parliamentary rule of debate is that no Member is entitled to speak against or reflect on any determination of the House except on a motion for rescinding it. This is not such a motion, and therefore no Member will be entitled to speak against or reflect on the determination of this House arrived at on the Resolution of Lala Lajpat Rai. (Applause from the non-official Benches). What the Honourable Member proposes to do now is, not to reflect upon the determination of the House but to speak in support of it. But if I were to allow the Honourable Member to speak anything in favour of the determination of the House already recorded it would be unfair to shut out the other side. Therefore, I rule out every argument in favour of or against the determination of this House.

Pandit Motilal Nehru: Your ruling, Sir, makes my task all the more easy and I do not wish to detain the House at any greater length than I have already done. I wish only to repeat that I put my main point on two broad grounds. The first, as you have been pleased to point out, is, that this House has already come to a decision which we must uphold and which it is the duty of every Honourable Member to support, and the second is that as on the showing of the Government itself this is a Parliamentary Committee, it is the business of Parliament to supply it with funds and not of this House.

With these remarks, Sir, I move my motion.

The Honourable Mr. J. Crerar (Home Member): Sir, there are many reasons why I do not propose to detain the House at any length. In the first place I think that we have been invited to embark upon that unfruitful agricultural operation which has commonly been called "ploughing the sands". My second reason is that your ruling, Sir, to which I bow, necessarily restricts the discussion to a very narrow channel. Pandit Motilal Nehru began his remarks by saying that the motion which he moved was a necessary corollary to the Resolution which was passed at a recent Session of this House. On that point, Sir, I would quote a well known French saying, "I do not see the necessity of it". I was however gratified to find that the Honourable Pandit came forward in for him the somewhat unfamiliar capacity of an advocate of, and as one who made an appeal to the House to support, the constitution. (Hear, Hear from the Official Benches). Well, Sir, I must restrict myself to the very narrow issue that the House should pass the Demand for the Grant which has been made. My main reason is precisely the ground which Pandit Motilal Nehru has himself adduced, that is to say, the constitution. The House is now invited to make the necessary grant for funds, and the constitutional position is that as regards the general objects which Honourable Members, I think, in all parts of the House—though their opinions may differ—have generally in view,—with regard to all those objects nothing can be done without the intervention of Parliament. The Statutory Commission is the instrument appointed through which this House, every political party, the whole country, can support the constitution. And I submit that if we really do intend to support the constitution, we ought to provide the funds which are necessary to enable that constitutional instrument to carry out its ordained operations. (Applause.)

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Let Parliament pay for it.

The Honourable Mr. J. Orerar: After all, what is the alternative? We are, I think, all agreed that something ought to be done and the grant of this Demand will provide a definite, clearly conceived and perfectly intelligible method of doing that something. (*An Honourable Member:* "Question.") And what, after all, is the alternative? We have heard

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Send the Commission back.

Some Honourable Members: Send the Commission back.

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-official): You want money for that!

The Honourable Mr. J. Orerar: We have heard of certain conclaves which have taken place during the last few weeks which, I understand, have addressed themselves to some at least of the issues which the House is now asked to have investigated or to assist in having investigated by this grant. And what has been the result? Two more Committees—I believe a familiar but as far as we are aware an entirely unfruitful expedient. The House is now asked to provide support for another and, as we have good reason to hope, a fruitful expedient. (Applause). If we honestly—I am not imputing anything but honest motives—but if we honestly and consistently and having regard to the practical facts of the case do desire that something should be done, then we ought to grant this money. After all, is there really any alternative to the wranglings and the controversies of the last few years and to the prospect of those wranglings and those controversies being continued for many years to come without any result? I say that we have here and now an opportunity presented to us by which, by granting this money which the House is now asked to grant, we do at least have a practical expedient for investigating and for coming to some conclusions which will be beneficial to the country. The Honourable Member who moved this motion has appealed to all the Members of this House, to every section of this House. His appeal might perhaps have been addressed to the whole country, because, as I ventured to point out in the recent debate on this subject, it is a mistake to suppose that the issue, which was then before the House and which now in its narrower aspect is again before the House, is an issue in which the only parties are His Majesty's Government, the Commission and the leaders of this Legislature and the leaders of the various political parties throughout the country. I ventured to point out then and I venture to emphasise again that there is a fourth party, the most important party, the party whose interests ought to be paramount, that is the country and the people of India. (Applause). If this debate is concluded in the interests of that party, then, Sir, I say that this motion will be rejected.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I beg to offer my full support to the motion moved by the Honourable Pandit Motilal Nehru. I have been surprised.

at the argument that has been used by the Home Member against that motion. He speaks of the constitution. Our protest, Sir, is that it is a most unconstitutional thing on behalf of the Government to incur expenditure on behalf of India without consulting the wishes of the representatives of the people of India. In winding up his speech the Honourable the Home Member referred to the interests of the country and of the people of India. I wonder, Sir, how an educated gentleman like him can put forward such an argument when he is trying to thrust upon this country and the people of this country expenditure against which the elected representatives of the people are here to lodge their protest. A thing like this is unheard of, Sir, in any other country except this. Who asked Parliament to appoint this Commission? My friend says that the Statute demanded it. Did the Statute demand that we, the people most concerned, should not be consulted before the Commission was appointed? I say "no". Anybody who asserts that the Statute demanded that the Commission should be appointed without regard to the wishes of the people of India asserts what is absolutely untenable. I submit, Sir, that the people of this country are represented here, logically, naturally, reasonably, by law by those of us who sit on this side of the House, and if the Government will continue this wicked policy of inflicting expenditure upon the people of India by their borrowings in London without consulting this House, by increasing against our protests expenditure on the Army, to the dictation of the War Office, and in numerous other ways, I submit that if in the face of these facts, we do not lodge our protest when we have an opportunity of doing so against such unconstitutional action, we shall be untrue to ourselves and untrue to our country. (Applause.) My friend spoke, Sir, of the evil results which will follow if the motion of Pandit Motilal Nehru is carried. What will be the evil result? Speaking in the fullness of authority as Secretary of State for India, Lord Birkenhead has assured the world that co-operation or no-co-operation on the part of the Assembly, the Simon Commission shall go through the whole gamut. He and his colleagues have said that the Commission is not going back in any event. We know that England is rich. It is not poor as it was prior to its connection with India. Those of my Honourable friends who laugh at this should read their own history. England was a poor country a hundred and fifty years ago. It is now a very rich country. It is competing with America in that matter now. I submit that the Commission should be paid for by those who appointed it. He who calls the tune must pay the piper. What is the meaning of all this? The Government of England appointed the Commission not only without consulting the people of this country but in spite of their protests. The Government here know that we have protested. We have protested formally by a vote of this Assembly and yet Government expect us to support the Demand they have put before the House. I do not blame them for bringing forward the Demand. It was natural that they should do so. But I am surprised that the Honourable the Home Member, who is a very shrewd man in many respects, should not see the utter incongruity—to use the mildest language—the utter incongruity of the arguments which he has addressed to this side of the House. He has told us that the result of the motion of my Honourable friend Pandit Motilal will be that a controversy which has lasted for several years will continue. Is that controversy to be ended by the grant of the sum that is asked for? I say, no. He also

[Pandit Madan Mohan Malaviya.]

twitted us, Sir, on the result of the labours of the Committee which has been sitting for the last two weeks to bring about an understanding between the different sections of the community. And he asked what was the result? Two Committees. I ask, Sir, is the Simon Commission going to appoint any Committees? Do you expect any man with any sense to rush through the constitution for the government of 320 millions of people in a few sittings? Why have you provided a period of two years for this very capable body of men called the Statutory Commission to investigate these matters? We have no official figures. We have not the Secretariat at our back; the Secretariat that we pay for is not at our service. We have not all the experience of Honourable Members who have worked for 30 or 35 years in various departments of Government to help us in our deliberations. We have been groping in the dark, and yet we expect to see clear light, because we possess intelligence and have a clear conscience, because naturally we have the interests of our country at heart. (*Mr. K. Ahmed*: "Why haven't you settled the differences between Hindus and Muhammadans"?) I tell you, I expect that these Committees will bring about better results than many at present imagine they would. But who would imagine Sir, that a Committee of the All-Parties Conference meeting together off and on for only 15 days in the time that could be spared from the work of this Assembly, would be able to complete its task of laying down the main points of a constitution for this country. I am sure my Honourable friend will see that his fling at us on that score is not just, and I submit, Sir, that these arguments cannot deviate us from the path of duty. Our course is clear. We have protested from the earliest moment we came to know that it was contemplated to appoint a Commission from which Indians would be excluded. We have protested against it as strongly as we could. We did not adopt an attitude of unconstitutional warfare against you. We did not object to your appointing any Commission. We simply protested in every reasonable constitutional method that was open to us, and we drew the attention of the Government in this country and in England to the strong feeling which had been excited amongst educated people in all parts of India, against the proposal to constitute a Commission to inquire and report what the next constitutional reform in India should be, without Indians. We argued, we reminded you of your promises, of your pledges, and also of our humble services to you in the hour of your need, but it all went for nothing. You were determined to appoint the Indian Statutory Commission without Indians in the face of the opposition, the united opposition, of the whole of India. You talk of parties, of some parties which are not with us on this question. I venture to say that those parties which are not with the bulk of the educated people of this country in this matter do not count. They will not count; they will not carry you very far; you may have a vote here and a vote there; you may hear of the garlanding of the members of the Commission here and a demonstration in favour of the Commission in another place, but that will not carry you very far. Sir, far be it from me to speak with any disrespect of Sir John Simon or the members of the Commission. We wish to speak of them with the courtesy and respect which is due to them as individuals. Our quarrel is with the constitution of the Commission. The Government have constituted this Commission in the teeth of the protests of the representatives of the people, and most certainly it does

not lie in the mouth of the Members of Government to say that we are unreasonable in saying that we shall not pay for the Commission. What will the civilised world, what will impartial men think of us Indians if, after having received what we consider to be an affront, which my Honourable friends opposite do not imagine to be an affront, but what we all of us regard as an affront, we agree to vote the expenditure of the Commission, which we have condemned, which we have protested against before and protest again to-day, and against which the people of India protested by thousands of black flags which greeted the Commission when they went even to a place the Satrap of which thought he would have everything his own way there. That is the position, Sir, and I am sure as reasonable men we cannot do anything except vote down the Demand before us if it lies in our power to do so, and I hope that this at least is in the power of this House. I hope that every Indian Member will realise that the honour of the motherland is involved in his vote and that he will therefore vote against the Demand.

Mr. M. K. Acharya (South Arcot *cum* Chingleput: Non-Muhammadan Rural): Sir, as I was listening to the excellent speech of the Honourable the Home Member, there was something which struck me as a reflection upon the representative character of those of us sitting here. It is just a small point and I wish to bring it to the notice of the House. He said that not only the Government, the Commission and the various Legislatures in the country were practically before the consideration of the House but that there should be a fourth and a very important factor, namely, the people of this country; that we should pay due consideration to the larger interests of the people of this country. I wish, Sir, in all humility to ask the Honourable the Home Member to tell us who are the representatives, the accredited representatives of the vast dumb millions of this country. Is it for a moment contended—I am sorry to say that this point has been raised not only in India but elsewhere also—that we are not the true representatives of the country? That I think is the implication of the Honourable the Home Member's speech. If that is the contention, then I am sure this implication is absurd on the face of it. May I ask, Sir, whether the House of Commons in England during the time of Elizabeth or even during the time of George I, George II and George III was representative of the people of that country? We are aware that the present constitution does not go as far as we wish it to go, but it is not our fault; it is, if anybody's, the fault of the Government. Therefore, to say that we are not true representatives of the people of this country, and that there is a fourth factor apart from the Central Legislature and Legislatures in the provinces, is absurd, to say the least of it. That is one point that struck me because it has been raised here and also raised elsewhere. I believe Lord Olivier admitted in his speech in the House of Lords that however limited may be the Indian franchise, the elected Members of the Central Legislature in India represent and represent most excellently the people of India and their wishes and their interests. Therefore, I urge, Sir, that the point that the larger interests of the country ought to be consulted is rather a lame point and that it is a reflection upon the representative character of the elected Members of this House. This was the implication of the Honourable the Home Member's speech; and I am sorry that he should have spoken so.

[Mr. M. K. Acharya.]

There is one other small point which I wish to state before I sit down. I will urge upon this House that this motion of my Honourable leader should be passed for another reason, namely, to demonstrate, because they want demonstration, our capacity by using even the limited powers that are at our disposal under the present constitution. Sir, you have demonstrated, if any demonstration were necessary, how an Indian like yourself, who is flesh of our flesh and bone of our bone, could fill the presidential Chair of this House with a dignity, with a capacity and with a judicious acumen, of which any Speaker of the House of Commons may feel proud. (Loud applause.) We, the Members on this side of the House, are equally anxious to demonstrate how we are going to use even these very limited powers that we have under the present constitution; and the most excellent way of demonstrating our capacity is to throw out by an overwhelming majority the Demand that is now under consideration. Such a demonstration therefore will show that we thoroughly understand the provisions of the constitution and the rules and Standing Orders, and so on and so forth. We want to show to the world by making such a demonstration in this House that so far as we are concerned we are quite capable of exercising these powers in as efficient a manner as even the Mother of Parliaments can discharge its functions. For one reason if not for any other, having come to the decision on the 18th February that this House shall have nothing to do with the Statutory Commission, it is our clear duty to say that we shall not grant any money to a Commission with which this House has already decided that it shall have nothing to do. I am glad that we have got one more opportunity of demonstrating to the world how we go about our business, and how well we know what the true interests of the country are. For this reason, namely, to show that we have utilised the powers that are at our disposal under the present constitution, I urge upon every colleague of mine to rise to the occasion and say that we shall have nothing to do with this Commission, and that we shall not vote a single pie out of the revenues of India, out of the poor man's money, to take this Commission from place to place and to give them the pleasure of going round India. I think this question of cost was raised even in the House of Commons and the reply given was that, although the expenditure on the Commission would statutorily fall on the revenues of India, the Government of England would contribute very materially to the expenditure. I think the Government of England will do very well in wholly financing this Commission. It is they who are imposing this Commission on us; for their pleasure, and not for our benefit. Those who want to have any pleasure will have to pay for it. I think it is perfectly clear that this House should not grant that portion of the expenditure which is involved in this Demand which my Honourable leader asks us to reject. I hope there will be none who will for a moment waver over that point. It is a question of honour, it is a question of principle, it is a question of consistency and it is indeed a question of the larger interests of the country that demand that we should reject this Grant.

Mr. M. A. Jinnah: I was, Sir, somewhat astonished at the Honourable the Home Member laying down a most extraordinary constitutional

doctrine. As I understood him, he laid down that the Parliament has decided to appoint a Commission and that decision having been taken it is not open to this House to reject a grant for the purpose.

The Honourable Mr. J. Orerar: I did not say that. I said that it would be extremely unwise.

Mr. M. A. Jinnah: I am very much obliged to the Honourable the Home Member for having corrected his position. (*An Honourable Member on the Treasury Benches:* "Corrected you".) Therefore, Sir, we are not tied down by any constitutional conventions or laws to accept this Grant. Therefore, Sir, this House has got to face the issue on its merits whether it will be advisable or not that we should vote this Grant or not. That is the question I am prepared to meet.

Well, Sir, that being the issue, let us examine the position. The position is this, that the Parliament has appointed this Commission without consulting the wishes of any responsible persons in this country; that after the appointment of the Commission those who oppose it are to-day told they do not represent anybody. All the political parties in India protested against this Commission. I venture to say, Sir, that even those who are forced by reasons of their own to make the best of it disapproved of it and protested against the constitution of that Commission. We are told now that it will be unwise not to allow this Commission to carry on its magnificent mission. Sir, we have already made it clear that this Commission cannot possibly do any good to India. It is not merely a question of the constitution and the scheme and the procedure which was announced by Sir John Simon as Chairman, but we feel convinced that this Commission is detrimental to the interests of India. We have debated that issue over and over again. We feel further that the very inception, the very fundamental principle on which the appointment of this Commission has been made, in itself postulates that India is incapable of any constitutional advance. Now we are told that in this business it is not only His Majesty's Government that is concerned, that it is not only the Parliament that is concerned and the political parties in India that are concerned, and the Government of India, but there is a fourth party and that is the interests of India and the country at large which has got to be considered. What does the Honourable the Home Member mean by this fourth party? Does he mean the collection of flunkies and *jo-hukums*? (Loud laughter.) Does he mean the poor ignorant people who are being exploited and sought to be taken into this trap by wiles of official methods? Does he mean that those constitute the fourth party in this country? Whose interests are to be safeguarded? Sir, this Commission the moment it landed has already received its toll of loss of life and injuries to people

Mr. W. A. Cosgrave (Assam: Nominated Official): Whose fault?

Mr. M. A. Jinnah: Your fault, because you are imposing, thrusting this Commission on India against the entire wishes of the people. This Commission is taken round the country on a tour of reconnaissance, for the purpose of reconnoitring this country, under the police guard and with the help

[Mr. M. A. Jinnah.]

of the C.I.D. and by means of the enforcement of the penal laws of this country (*An Honourable Member*: "Section 144".) and this is how you want to investigate and enquire into the constitution of India, and you want us to vote money for it. It is absurd. Sir, I really fail to appreciate the mentality of the Treasury Benches. Sir, I submit that there is but one answer and that is this, that this House must vote down this Grant. I was surprised that our Finance Member, who represents the Government of India, should have moved this motion. I at least did not expect him, as he has often declared that he is a Swarajist, a better Swarajist than any other Swarajist that we know, to move this motion.

Diwan Chaman Lall: Also an authority on lying!

Mr. President: Order, order.

Mr. M. A. Jinnah: And, Sir, when he made that declaration in this House from time to time I was inclined to doubt the declaration, but when the other day he shrugged his shoulders and walked out of this House I was inclined to think that he was somewhat of a Swarajist. (Loud Laughter). And when the division bell rang he regained his intelligence and went into the lobby and I believe recorded his vote.

Mr. President: Order, order. I do not think this is relevant.

Mr. M. A. Jinnah: Sir, I submit that it is perfectly relevant that the Finance Member who professes to be a Swarajist in this House, over and over again, should have in his wisdom thought it right to put this Grant before this House. That is my point, and I say, Sir, the Finance Member ought never to have submitted this Grant to this House.

Now, Sir, I do not want to discuss the question which the Honourable the Home Member referred to about the two Committees that are appointed. But, Sir, what is the point of it? Do you want to take advantage of our difficulties? Is that the reason why we must be forced to vote this money for the expenses of a Commission which we do not want? What an argument to advance!

I do not wish to detain the House any longer but I am sure that even the Honourable Members who were not inclined to vote in favour of the motion for not accepting this Commission will also consider that at any rate, so far as they are concerned, they ought to realise this, that this Commission, even according to their ideas, is not satisfactory, and they ought not to vote for this expenditure.

Munshi Iswar Saran (Lucknow Division: Non-Muhammadan Rural): Sir, I had known the Honourable the Home Member

Mr. President: The issue raised is a very narrow one and I do not know whether the Honourable Members would like to make any further speeches on it.

Munshi Iswar Saran: I had known the Honourable the Home Member as an administrator and as a statesman, but to-day for the first time, I recognised in him an advocate of consummate skill. His skill was obvious when he was supporting an absolutely rotten case. He tells us that there is the Government, there is the Commission, there are these various political parties, but there is another party whose existence we should not forget. May I ask the Honourable the Home Member, with the profoundest respect, why is it that the Committee which it has been suggested should be formed is to be formed by the Legislatures and not by this fourth party of whom he talks? It is this Legislature which, if it chooses, is to set up a Committee which is to work with the Simon Commission. Sir, you cannot have it both ways. Either this Legislature is a representative body or it is not. Make your choice. Make up your mind and come to a decision. When it suits my Honourable friends on the other side they call this Assembly a representative body. When it does not suit them they try to divest the Assembly of its representative character. May I ask the Honourable the Home Member, during lunch time or at once, to get the proceedings of the War Conference held in Delhi? There he will find the names of those who were invited in that hour of need in order to offer their help to Government. And who were those men? Most of those men who were invited on that occasion are the men who are now with us in our opposition. I remember two names now. There was Pandit Malaviya and there was Mr. Jinnah. These were the men who were asked to come, and I say, Sir, with confidence, these will be the men, if any trouble arises, —I hope it may not arise—who, if properly approached, will again offer their help to Government. It is unwise, if nothing worse, to treat these men as if they don't count at all.

The Honourable the Home Member used a very excellent expression "ploughing the sands". May I say that Government at the present moment are doing nothing but "ploughing the sands". They know what the verdict of the House is going to be on this question and in their heart of hearts they believe that the verdict this House will give is the only verdict which a self-respecting House can give consistently with the decision which it arrived at after two days' deliberation and discussion. Sir, the Honourable the Home Member has talked a great deal of the constitution. Now I shall ask him to remember this. Suppose this Assembly passes a Resolution to-day. Will it be open, according to the constitution under which we are working, for the Assembly to arrive at a different and a contrary decision only three or four weeks after? If we had made that attempt the Honourable the Home Member backed by his friends would have said "Here you are. This is what you are doing. Think of the Resolution which you have passed, and very soon after you are trying to undo what has already been done". I say that the Resolution which was arrived at on the motion of Lala Lajpat Rai is binding. Whether a man agrees with that Resolution or not is perfectly immaterial. As long as that Resolution stands it is not open to anybody—even to those who voted against us on the last occasion, to vote against the present motion if they are really anxious for the dignity of the House. Let me tell the Honourable the Home Member and his other colleagues and their henchmen that to-day the sincerity of their professions as regards their annuity for the maintenance of the dignity of this House is on trial. By their vote they will be known whether they are really anxious to uphold the dignity

[Munshi Iswar Saran.]

of this House. If they are, then the only obvious course for them is to abstain from voting and to let the independent and the elected or the nominated Members vote as they please; but as far as the official Members are concerned I submit it is only fair that they should abstain from voting. The question is perfectly simple, Sir. I submit that if you have any regard for the constitution under which we in this House are working, then the only conclusion you can arrive at is that you will not grant this money for a Commission which is unacceptable to us.

The Honourable Sir Basil Blackett: Sir, I move that the question be now put.

Mr. President: The question is:

“That the Demand under the head ‘Miscellaneous’ be reduced by Rs. 3,40,000.”

The Assembly divided:

AYES—66.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jagiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Lajpat Rai, Lala.

Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijiut Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

NOES—59.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Abdullah Haji Kasim, Khan Bahadur Haji.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterjee, The Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir Khan.
 Dalal, Sardar Sir Bomanji.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Hussain Shah, Sayyed.
 Irwin, Mr. C. J.
 Jowahir Singh, Sardar Bahadur Sardar.
 Kabul Singh Bahadur, Captain.

Keane, Mr. M.
 Kikabhai Premchand, Mr.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mohammad Iamail Khan, Haji Chaudhury.
 Moore, Mr. Arthur.
 Muhammad Nawas Khan, Lieut.-Sardar.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rafique, Mr. Muhammad.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rajan Bakhsh Shah, Khan Bahadur Makhdum Syed.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Roy, Rai Bahadur Tarit Bhusan.
 Sams, Mr. H. A.
 Shah Nawaz, Mian Mohammad.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Singh, Raja Raghunandan Prasad.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfqar Ali Khan, Nawab Sir.

The motion was adopted.

Delegation to the International Labour Conference and Allowances paid to Delegates and Advisers.

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

“That the Demand under the head ‘Miscellaneous’ be reduced by Rs. 100.”

The object of this motion is to draw the attention of this House to the fact that the Government of India does not send a full delegation to the International Labour Conference. Sir, according to the constitution of the International Labour Conference, every country can send two Government delegates, one employers' delegate and one workers' delegate. Besides these delegates, every country is entitled to send two advisers to each delegate for each item on the agenda. So far, the Government of India have sent delegates for the different Conferences, but as far as the advisers are concerned, they do not send a sufficient number of advisers. They sometimes send one adviser or two advisers. This year, I am told, they propose to send two advisers with the employers' delegate and two with the workers' delegate. But Sir, according to the constitution, they are entitled to send more advisers and it is necessary that the full number of advisers allowed should be sent. The Conference does its work through its several Committees and if the interests of the Indian workers are to be properly represented, then the workers' delegate must be accompanied by a sufficient number of advisers. Otherwise the interests of the Indian workers suffer for want of proper representation on the Committees. Sir, I do not know what prevents the Government of India from

[Mr. N. M. Joshi.]

sending a sufficient number of advisers to the International Labour Conference. Surely, they cannot plead want of money. Their Budget consists of hundreds of crores, and if they send four or five or even half a dozen more advisers, it will not cost them much, nor will their Budget be very much disturbed. The Government of India have got sufficient funds with them to spend and as it is necessary that the delegations that go from India should be full, so that the various interests that take part in the Conference should be adequately represented, the Government of India should hereafter send as many advisers as they are entitled to send, and I hope my motion will be accepted.

Mr. Ghanshyam Das Birla (Benares and Gorakhpur Divisions: Non-Muhanmadan Rural): Sir, I want to say only a very few words on this question. I need hardly say that the delegate who is sent from here is put to great inconvenience for want of suitable advisers to assist him. Sir, I had that experience because I was given no advisers when I was sent as the employers' delegate to Geneva with the result that out of at least nine Committees I could attend only one committee meeting. One has to work from 7 in the morning till 7 in the evening, and it is very difficult for one man to attend all the committee meetings and keep himself in touch with the deliberations of all of them. I might inform this House that, so far as other countries are concerned, they send their full quota of advisers. There is provision that for each of the subjects two advisers could be sent. On the last occasion there were three subjects on the agenda and consequently six advisers with the employers' delegate and six advisers with the labourers' delegate could have been sent. While the delegate for labour got one adviser and the Government also sent their delegates in full strength, the employers' delegate was not provided with even one adviser. If my information is correct, even the Government delegates felt that the employers' delegate was put to great inconvenience for want of proper advisers, and I am quite sure that this matter has been also brought to the notice of the Government of India by their own delegates. I hope, therefore, Sir, that this time, when the Government nominate delegates to the International Labour Conference, they will bear this point in mind and see that the full quota is sent to represent India.

Mr. Sarabhai Nemchand Haji (Bombay Central Division: Non-Muhammadan Rural): Sir, in speaking on this motion, I want to say just a few words in connection with the composition of the Indian delegation as a whole

Mr. President: I hope they will be just a few words.

Mr. Sarabhai Nemchand Haji: I just want to state that, in reply to a question which I addressed to the Industries Department, I was told that the Government section of the delegation was composed of non-Indians partly because, as conditions exist in India to-day, more non-Indian officers of Government are on leave in England in summer than Indians. Now, Sir, I have nothing to say at the moment with regard to the composition of the various services in this country, but when it comes to the representation of this country at these International Conferences, I think it is a matter of great humiliation for India to find that her delegation at Geneva at these Conferences is composed partly or sometimes wholly of non-Indians. I have no doubt that the Government of India do save a little money by taking advantage of the fact that European members

of the services are available and are at hand in Europe in summer. But I am quite sure that, if a little additional expenditure is incurred in keeping the complexion of the delegation wholly Indian, the country at large would never grudge the small sum of additional money that would be necessary in order that not only the labour section of the delegation or the employers' section of the delegation but also the Government section should be wholly Indian in so far as it would enable India to take her proper place in the Councils of Nations which cannot happen until the Indian delegation is composed entirely of Indian nationals.

The Honourable Sir Bhupendra Nath Mitra (Member for Industries and Labour): Sir, I shall deal first with the question raised by my friend Mr. Joshi and my friend Mr. Birla about the adequacy of the strength of the delegation. Their point was that we do not send a proper number of advisers with the delegates. I should in the first instance like to tell the House that there is no fixed number of advisers as there are fixed numbers of delegates. The provision in the Treaty of Versailles lays down that each delegate may be accompanied by advisers who shall not exceed two in number for each item on the agenda of the meeting. That is the maximum number prescribed.

The next point, Sir, is that under one of the provisions of the Treaty of Versailles we have to nominate the non-Government delegates and advisers "in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or work people as the case may be in their respective countries". Now, my friend Mr. Birla complained that last year we did not send any adviser with the employers' delegate. Might I ask him whether the various bodies who recommended his nomination as a delegate also recommended that any adviser should be sent with him? To the best of my recollection they did not make any such recommendation. That being the position, Sir, it was not possible for us to send advisers. This year apparently after the experience gained last year, recommendations have been made in regard to advisers for employers' delegates, and we are considering the matter most carefully

Mr. Sarabhai Nemchand Haji: Will you send the full quota this year?

The Honourable Sir Bhupendra Nath Mitra: I am not in a position to make any pronouncement on the subject now. As I said there is no full quota; there is a maximum permissible quota.

Mr. Sarabhai Nemchand Haji: The maximum of four this year?

The Honourable Sir Bhupendra Nath Mitra: As it is, we are now considering how many advisers we should send within that permissible quota. In the case of the workmen's delegate, we have, generally speaking, sent one adviser. This year we are considering the question of increasing the number of advisers. I am sorry I am not yet in a position to say how many advisers with the workmen's delegate will be sent this year, but the matter is receiving our most anxious consideration. In fact, as soon as this particular point was brought to my notice by my friends Messrs. Birla and Joshi—and they did satisfy me as to the need for more advisers—I took up the matter and in that connection I have been considering the question of sending a larger number of advisers with this year's delegation.

I will now turn to the quite different point raised by my friend Mr. Haji, that is, the presence of non-Indian officers with the Government

[Sir Bhupendra Nath Mitra.]

delegation. As I explained in this House on a previous occasion, it is not possible, Sir, under present conditions, to ensure that the whole of the Government section of the delegation shall consist of non-Indians. I should give a specific case. I had a Deputy Secretary in my Department, Mr. Clow, who for some time sat as a Member of this House. Mr. Clow's knowledge of labour conditions in India is unique and I am sure that my friend Mr. Joshi will accept that statement. So long as Mr. Clow is there and his services are available, I submit that it is only proper that I should send Mr. Clow as a member of the delegation rather than put in an untried man purely out of racial considerations. Now last year, for example, Mr. Lall, the present Deputy Secretary in my Department, was in England on leave, and his services were available. That being so, I attached him to the delegation as one of the advisers. But my sole point is this, that I must to some extent be guided by considerations of efficiency and I cannot wholly overlook from the point of view of the taxpayer considerations of economy. Therefore, it is impossible for me under the conditions affecting the composition of services in India at the present day to ensure that the Government delegation should consist wholly of Indians.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I venture to address a few words after the Honourable Member's reply on this question for two reasons. I think that one or two impressions that have been created—I do not think the Honourable Member meant to create those impressions—require to be cleared up and, if possible, removed. In the first instance, Sir, I think that this Legislature will recognize that, thanks to the conditions laid down by the International Labour Bureau and the League of Nations, Indians now get a look in at these International Conferences; because until we brought to the notice of the League of Nations the way in which the Government of India sent out Europeans to represent Indian interests in that League, Indians were practically not deputed at all by the Government of India as far as the non-official community is concerned. None, least of all the Indian commercial community, liked or desired to wash India's dirty linen before the internationals of the world. But we felt that as we could get no redress from our Government we had no option but to expose the manner in which real Indian representation was being kept back from these International Conferences. I am prepared and anxious to admit that, thanks to Sir Bhupendra Nath Mitra's solicitude, Indian interests have begun to be better served, inasmuch as for the very first time we got in the nomination of Mr. Ghanshyamdas Birla a person who was responsible to us, a person fit to voice the various Indian commercial and industrial interests at Geneva. He, Sir, told us of all his difficulties, of what can be done by the Indian commercial community, and how it is to India's interest to make sure that every delegate deputed by the Government is in a position to attend fully to the work at each conference, which it is impossible for a delegate to do if the Government of India do not give him the full quota of advisers. Sir, the year before last, when I happened to be in Europe, I had the honour of meeting some international representatives at one or two conferences, as the Government of India did me the honour to nominate me as their delegate. The one question which I had to answer at least half a dozen times to nationals from Germany, from France, America, Sweden and Norway was, "How is it that we do not see Indians oftener at these International Conferences but only Englishmen or Britishers?" I re-

member now after a speech which I delivered at one of these conferences I was asked, "Can Indians really speak in English as you do, and, if they can, why is it that your Government send Europeans?" I do hope that for the future the policy of deputing anybody but Indians will absolutely cease to exist. My Honourable friend Sir Bhupendra Nath Mitra made a great point of the fact that no Indian commercial body nominated advisers last year to help my friend Mr. Ghanshyamdas Birla. Perhaps Sir Bhupendra Nath Mitra has forgotten to-day that at least one Indian commercial body, the Indian Chamber of Calcutta, did nominate advisers to help Mr. Ghanshyamdas Birla. What we others felt was this. None of the representatives that were deputed by the Government of India till the year before last ever chose to tell us what they did there or to tell us of their handicaps and inconveniences and the facilities they wanted. I, in Bombay, and I will say it quite frankly, was under the impression that we were only being asked to nominate a representative of the employers and when the Government of India had made up their mind about that, they would inquire from us the names of the advisers to go with him. It is no use my Honourable friend saying that in the Treaty of Versailles there is laid down only a maximum. My Honourable friend, Mr. K. Ahmed I think, very intuitively interrupted and asked what is the minimum. In the eyes of the Government of India till now the minimum has been zero, and that is the point we wish to make. Japan, Sir, sends the maximum quota of delegates and the maximum quota of advisers to every International Conference. I know of one Conference where they had as many as 26 Japanese to represent Japan. Sir, again, does the question of economy only come in in the case of the Government of India and no other Government? And is it to come in the way of the Government of India only when India is to appear before the internationals of the world and not in the matter of internal economy? I think the point of economy is being rather done to death in this case and I hope it will not again be mentioned; it will not convince us. I fully agree that when you have a capable officer of the experience of Mr. Clow in the Honourable Sir Bhupendra Nath Mitra's Department, nobody would mind his going. But there may be equally capable Indian officers and their claims should not be overlooked. We want Indians, both official and non-official, to be trained in facing international conferences. I think whenever the Assembly reaches this Demand for Grant in the future they should vote the money only on an undertaking given by the Member in charge that the persons to be deputed to each of these conferences will be Indians and nobody else. I am not against Europeans being represented there, but, Sir, my Britisher friends get ample representation through England, and where India is to be represented it should be by Indians and by nobody else.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadan): Sir, I want to add my testimony to that given by my friends Sir Purshotamdas Thakurdas, Mr. Ghanshyamdas Birla and Mr. Joshi about this matter. I was there at the 8th International Labour Conference and at that time no adviser was given to me at all. I found it extremely difficult to get on with the business of the Conference. But there is one more point made by Sir Purshotamdas Thakurdas which I want to confirm and repeat, namely, that the nationals of the other countries of the world entirely misunderstand the position of India when India is not represented by Indians. There can be only two reasons for such a course, they think; either that Indians are incompetent to represent Indian interests in International Conferences,

[Lala Lajpat Rai.]

or that the Government of India does not trust them. Whatever be the reason, the time has come when the internationals of the world want to hear what Indians have to say on questions affecting India. When I went to Geneva as a representative of labour I had the honour to meet almost all the representatives of labour from the different parts of the world; and I also made it a point to meet the representatives of capital (or rather the representatives of employers, to give them their proper title) who were at that Conference, and all of them put me the question, "Why cannot you Indians come and tell us what you feel on these questions relating to India?" Sir, I may point out at once that India is placed in a very false position by being represented by Europeans. They have a policy of their own to put forward which is not always in the best interests of India. For example, at the 8th International Labour Conference, when the point was raised whether the representation of Indian employees by a European merchant was a proper representation, then at that time, the representative of the Government of India from the office of the Secretary of State adopted the position that Indians need not represent the employers' point of view, and that the European merchant, being the nominee of the European Chambers of Commerce in India, was most representative of the employers. I think that was placing us in a false position. The world, Sir, wants to know *our* point of view, what we Indians think on questions affecting India. You would often be told there, as I have been by others, "We do not want to hear Englishmen, we know their views, we know what they are likely to say, we want to know what you have to say"; and I must tell you, Sir, that on all occasions when we spoke we received a most sympathetic hearing at those gatherings. Of course they may not accept all our points of view. We had to point out to them the necessity of treating all coloured people on the same footing as the white people. They may not accept our point of view fully, but they are most anxious to hear us, and it is absurd that we should be represented by Europeans and particularly by the office of the Secretary of State's Department in England, who cannot possibly put forward the point of view of Indians, and it therefore becomes absolutely unnatural that India should at these International Conferences be represented by European representatives of the Government of India or by European merchants. They may be experts in their own particular Departments but they cannot put in our point of view. I have given the House my experience at the Labour Conference, and I think that is the experience of other Indians who represented India at these Conferences on different occasions. I of course put forward my views, but the atmosphere was such that Englishmen representing India at those International Conferences certainly in effect prevented us from putting forward our views, and if that was so, the House can imagine what views they would put forward if they were the only representatives of India. Already there are many differences between Indians and Europeans on these questions, and therefore I submit it is not fair that in these International Conferences India should be represented by anybody but Indians.

Sir, I may also point out that it is extremely unfair that in this matter, which is of the greatest possible importance to Indians at the present moment, namely, the representation of India at International Labour Conferences, any false ideas of economy should prevail. As my Honourable friend Sir Purshotamdas has said, these ideas do not prevail in other Departments on other occasions, but whenever a question comes up of

representing India at these International Labour Conferences by Indians, this false idea of economy comes in and people are sent on who cannot and do not represent Indian opinion. Mr. Clow is a very good man, I know him, I admire him, but surely in some matters he cannot put forward our point of view. What we want to put forward there, is India's point of view, what India thinks on these questions of labour, of employers, and of hours of labour, and so on. It is not the Englishman's point of view that is to be represented there. Therefore, I submit that for the good name of India, for the good name of the British Government itself, it is absolutely necessary that the representation at these International Labour Conferences should be purely by Indians and by nobody else, and no false ideas of economy should stand in the way of this.

I do not want, Sir, to name any occasions. But I must tell you that there is another point of view, namely, that sometimes at these International Conferences we are committed to decisions of which we know nothing, and when those decisions come before this House and we raise questions about them, we are told, "Oh, India had already agreed to that". Take, for example, the convention about aircraft. Last year when we raised a discussion about aircraft, we were told we had already agreed to certain principles about aircraft. But who agreed to it? India did not agree but the representative of somebody supposed to represent India at the Imperial Conference agreed.

The Honourable Sir Bhupendra Nath Mitra: On a point of order, Sir. Is the Honourable Member in order in referring to that? We are now on the Labour Delegation.

Lala Lajpat Rai: The principle is very general, and I am pointing out how India suffers by not being represented by Indians alone in these International Conferences. As for the Labour Delegation I begged of my Honourable friend to give me an adviser but he could not agree. Sir, I mixed at that time with the representatives of the Dominions and I found Canada, Australia, South Africa all well represented. None of them made a point of economy: they sent full delegations. I think Africa was represented by about four men, and Canada was represented by six men. Ireland was represented by about six or seven men, and Japan always sends its full quota. Japan also sends one adviser for every subject.

Sir Purshotamdas Thakurdas: Sometimes two.

Lala Lajpat Rai: Thus all these countries have got a larger number of representatives on the International Labour Conferences than India has. We are thus at a disadvantage. Neither are we sufficiently represented in the International Labour Office itself nor are we adequately represented on the International Conferences. Therefore, we suffer a double injury. I submit the question is one of great importance because we want to show to the world that we can manage our own affairs and we can hold our own in all international affairs and debates. Why should we not be allowed to rub shoulders with others and know their point of view? I say, even in the interests of the Government of India we alone should represent India because we shall learn the rules of discipline and courtesy that are observed by Europeans in these Conferences. Sir, it is a great great wrong which is being done to India by not appointing pure Indians to these Labour Conferences. But I think objects underlying the sending of these delegates will never be achieved unless this House gets the right of selecting the representatives of India.

Mr. President: The question is:

"That the Demand under the head 'Miscellaneous' be reduced by Rs. 100."

The Assembly divided:

AYES—73.

Abdool Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sessa.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Bhuto, Mr. W. W. Illahibakhsh.
 Birla, Mr. Ghanshyamdas.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit N lakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Hussain Shah, Sayyed.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kikabhai Premchand, Mr.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra Kanta.
 Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.
 Ayengar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterjee, The Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenav, Mr. R. H.
 Crawford, Colonel J. D.
 Creer, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir Khan.
 Dalal, Sardar Sir Bomanji.
 Graham, Mr. L.
 Irwin, Mr. C. J.

Mehta, Mr. Jammadas M.
 Misra, Pandit Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijut Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Rafique, Mr. Muhammad.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rajan Bakhsh Shah, Khan Bahadur Makhдум Syed.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Rai Bahadur Tarit Bhusan.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan Bahadur.
 Shafee, Maulvi Mohammad.
 Shah Nawaz, Mian Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Singh, Raja Raghunandan Prasad.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Siddheswar.
 Tirloki Nath, Lala.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

Jawahir Singh, Sardar Bahadur Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mohamad Ismail Khan, Haji Chaudhury.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainv, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sams, Mr. H. A.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Svkes, Mr. E. F.
 Tavelor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.

Delegation to the Assembly of the League of Nations

Mr. N. M. Joshi: Sir, I beg to move:

"That the Demand under the head 'Miscellaneous' be reduced by Rs. 100."

Sir, in view of the discussion that has taken place, I need not make any long speech on this motion. The main point on which I want to make only one remark is this, that so far the leader of the delegation sent by the Government of India to the Assembly of the League of Nations has been a European. Indians have been saying that the leader of the delegation should be an Indian and the Government have been insisting upon a European being the leader of the delegation. The arguments used in favour of a European are two. One is that the European understands international politics. Now, Sir, this is a calumny upon those distinguished Indians who have attended the League of Nations, such as Sir Ali Imam, Mr. Hasan Imam, the Right Honourable Srinivasa Sastri and Sir Sivaswami Iyer, to say that they do not understand international politics as well as Sir William Vincent or Sir William Meyer. If, Sir, these two European gentlemen understand European politics and international politics, I am quite sure that Sir Ali Imam, Mr. Hasan Imam, the Right Honourable Srinivasa Sastri and Sir Sivaswami Iyer understand international and foreign politics. There is another argument used and that argument is that Indian Princes may not like to work under an Indian as the leader of the delegation. This, Sir, is also a calumny upon Indian Princes that they are not willing to work under an Indian leader. I am quite sure that Indian Princes are patriotic enough to prefer an Indian to a European. (Applause.) Then, Sir, I do not think that there is any argument which can be used except that the Government has no confidence in an Indian. They fear that if an Indian is selected, no matter whether the Indian is Sir Ali Imam or Mr. Hasan Imam or the Right Honourable Srinivasa Sastri or anybody else, or for the matter of that my friend Sir Bhupendra Nath Mitra or Mr. S. R. Das, a member of the Executive Council, the fact is that the Government of India do not trust them in international politics. They feel that if they attend an International Conference, it is quite possible that they may say things which the Government of India may not like. This is a fact, Sir, that the Government have no confidence, no trust in Indians as such, whether they are members of the Executive Council or whether they are Indians coming from public life. That may be, Sir, one reason why the Government of India do not send Indians. Or there may be another reason. Sir, any Indian who attends an International Conference under a European delegate knows how humiliating that position is, and there are people who generally ask us questions as to why a particular gentleman is made the leader. Sir, it is quite enough that we are ruled by a foreign country. Is it necessary for Great Britain to humiliate us in International Conferences by telling the whole world that it is Great Britain that is ruling over India and India is not self-governing? Sir, I cannot see any other reason for the Government's refusal to appoint an Indian as the leader of the delegation except that they have no confidence in any Indian, whatever may be his position, or that they want to humiliate India in the international world.

I hope, Sir, that this House will pass this motion with as large a majority as it passed the last one.

Mr. C. Duraiswamy Aiyangar (Madras Ceded Districts and Chittoor: Non-Muhammadian Rural): Sir, I have great pleasure in supporting the motion made by my Honourable friend, Mr. Joshi. I myself proposed a ~~cut under~~ this head and I wanted to grant only one rupee for the expenses of the Indian delegation to the League of Nations. But, Sir, owing to certain circumstances I cannot press the motion which stands in my name, but I take much pleasure in supporting the motion which my Honourable friend Mr. Joshi has made. Sir, it has always been a problem with me how the Indian delegation as it is called could consist of persons who could not in the least represent the Indian people. It may be that in the other nations the Government may choose its own representatives but they are Governments of the people and for the people, while the Government and the people in this country are poles apart. I do not find any justification for the Government choosing its own representatives and calling them the Indian delegation to the League of Nations. Sir, we find year after year ever since the Indian delegation has commenced its labours that three persons are chosen by the British Government at home and three go from India. I ask why should there be these duplicate gramophones of the same Master's Voice. We have Sir William Meyer, Lord Willingdon, Lord Chelmsford and Lord Hardinge to represent India, a Maharaja of an Indian State is also to represent India and also an official or a pro-official-non-official not to say pseudonon-official to represent the third place. I ask is this a proper representation of India in the League of Nations? And what is it that we have found as a result of this kind of representatives being sent to the League of Nations. We bear at our cost a considerable calumination of the people of India and their leaders. A Mr. Campbell goes there and represents that the Indian people are fond of opium, that Indian leaders are fond of opium (Laughter), and that Indian leaders, like Mahatma Gandhi and Sir Robindranath Tagore, are not opposed to the Government policy in matters connected with opium. Now, we are asked to contribute for the expenditure of these persons who not only do not represent India but who positively misrepresent the Indian people and exaggerate the saintliness of the Indian Government to which they themselves lay no claim. As one example of it I only wish to point out what Willoughby has said on page 57 of his book called "Opium as an International Problem". The Indian representative Mr. Campbell said:

"The Government of India had at no time, either as regards its internal or external consumption, allowed revenue considerations to determine its policy. He desired to lay stress on that point."

And yet year after year so far as the internal consumption of opium is concerned, we find an increase in the revenue not with a desire to increase but as a consequent effect of the reduction in the export. Even in the present Budget we have found that there is an increase of revenue under opium. I would not, however, dwell upon that subject any longer.

Now, Sir, I ask what is really the function of India in the League of Nations? What is the benefit that we have been deriving from the League of Nations? Are we taking part in any international politics? Are we taking part in any international questions that are of great and serious importance and that concern India? I have in this connection got the authority of Sir Ramaswami Aiyar himself who says the following:

"It is true that many of the problems coming up for discussion before the League are essentially European in character and do not concern India in the narrower sense,

But he would be both petty in outlook and short-sighted in policy who does not see in most of the activities of the League a genuine effort to promote that active and practical comradeship without which world-opinion cannot be adequately formed."

The function of the Indian representatives in the League of Nations is that they should take part and deliberate on matters concerning the European powers and that, as an indirect consequence of it, we should get some benefit of a so-called comradeship. What comradeship of nations have we so far realised? We have not yet realised it at all. On the other hand, we are told sometimes here even on the floor of this House and it was stated by a responsible person that India is not a nation. If India is not a nation, then I ask what is our place in the League of Nations? It is much better that you should leave us alone. And when we have shown to the world that we are a nation, then we will send our representatives to the League of Nations, but we do not want representatives of the kind that you are sending now. Leaving aside all these important considerations, the Right Honourable Srinivasa Sastri, who once represented India in the League of Nations complained about a small matter but even that small matter deserves the consideration of this House in voting against this demand. The Right Honourable Srinivasa Sastri spoke as follows :

"The first grievance relates to our representation in the Secretariat of the League. I will not go into figures. I am anxious to keep on the right side with the Secretariat, and I will not antagonise them by going into any vast array of figures. But I wish to say one thing. When we are taxed for the expenses of the League, we are ranked very high indeed. We come in the first or the second class. Last time we paid about 4.8 per cent. of the expenses, and, under the new scheme, we are told we must go up to about 6 per cent. or a little over. I will mention only one or two things in this connection. Of about 351 members of the Establishment, 138 are British, 73 are French, 16 are Swiss, and the Americans, who are not yet members of the League—I do not grudge their share—come in for 13. Where does India stand? She has one solitary representative."

This is, Sir, what the Right Honourable Srinivasa Sastri himself complained. I would call it a very trifling consideration of getting some employment for Indians in the Secretariat establishment, but even in this petty matter there exists a grudge. And after the lapse of so many years we find now probably three or four Indians who are employed there. Sir, they have made a rule there that not a single Indian is fit enough even to be appointed a stenographer or a reporter in the League of Nations. With regard to higher questions, they are not concerned with India in the least. They do not care how India is governed. And, Sir, what has the League of Nations done so far as we are concerned? Have they settled the dispute between the British Government and ourselves? That is the chief concern of the League of Nations. They must act as arbitrators. Under no kind of jurisprudence do I find that the arbitrator will be the one party against whom a grievance is lodged by the other party. For instance, the Britishers claim that they are the guardians and we are their wards. So, if there is a dispute between the guardian and the ward, it is not the guardian that can be the judge or arbiter but a board of conciliation on which none from the British Empire should sit. Why should not the League of Nations set up such a Board to promote comradeship, and thereby establish the justification for taking India as one of the representatives in the League of Nations? Absolutely

[Mr. C. Duraiswamy Aiyangar.]

nothing of the kind has been done. What is it that they are concerned with so far as India is concerned? They want that the export of opium from India should be stopped, but as regards the internal consumption of it, which is a matter of the greatest importance to India, they have nothing to do with it, that is why the Indian Government is able to throw dust in the eyes of the League by simply reducing the export. I ask, Sir, is there any justification, therefore, for India to contribute a large amount to the League of Nations which is meant to pay the expenditure of an Indian delegation which is really not an Indian delegation but is only the *alter ego* of the British delegation and plays second fiddle?

Sir, I heartily support Mr. Joshi's motion.

The Revd. J. C. Chatterjee (Nominated: Indian Christians): Sir, I have considerable sympathy with the motion of Mr. Joshi, but there is one aspect of this matter which I wish to bring before this House. There is considerable need that this House should really give some practical proof of their intention to educate themselves and the country on the questions which the League of Nations takes up and the ideals for which the League of Nations stands. It is all very well to say that the voice of India is not heard at Geneva as it ought to be heard. We have also got to realise that in every country from which a delegation is sent, the general public take a very active interest in the affairs of the League of Nations. In Great Britain there is the League of Nations Union, the object of which is to foster strong public opinion in favour of the ideals for which the League stands, and also to impress on the delegation that is sent from that country the views of the nation. Now, that League of Nations Union in Great Britain has at the present time a membership exceeding a million people. At the last election for the British Parliament candidates for membership of Parliament had to state in a great many constituencies whether they were members of the League of Nations Union. What have we in India done to form a healthy and well informed public opinion either in favour of the League or against it? We have a Union existing here in Delhi—I have been Secretary, (Loud ironical cheers.) I am not ashamed to own it. It does stand for some of the finest ideals in the world. I am not ashamed of the League and shall continue to be Secretary. We have sent out circulars to Members of this House on a great many occasions, asking them to join the League of Nations Union. It may be said that by joining they would be committed definitely to sympathy and support of all that the League does. It means nothing of the kind. All you have to do is to join and to read literature on the subject.

Mr. President: Order, order. This is not the place to make propaganda. (Loud cheers from the Opposition Benches.)

The Revd. J. C. Chatterjee: I am merely developing my argument, Sir. It is said that enough Indians are not sent to form part of the Delegation to the League. Every year the Delhi League of Nations Union has held a public meeting addressed by Indian delegates to the League of Nations. How many Members of this House have taken the trouble to

go three miles to hear what their countrymen have done in Geneva? (Cheers from the Government Benches.) Unless we are able to form a strong public opinion in this country, so as to back up our demand, by strong action and strong sympathy, we can do nothing. If we do that, we shall be justified in saying that since we are taking that interest in the affairs of the League of Nations we can bring Government to give more attention to what we are saying. Unless you are prepared to do that, unless you are able to educate public opinion in the affairs of the League, even though it may be by way of criticism or otherwise, you will not be in a position to do much. If our interest in the League of Nations, is confined merely to the composition of the Indian delegation, the outside world may think we are only concerned with that consideration. But if we take a real and intelligent interest in the work of the League, and help to form public opinion on the subject

(At this stage there was a tremendous uproar consisting of shouts of "Withdraw, withdraw", from the opposition, during which Mr. Joshi stood up and tried to make himself heard.)

Mr. President: Order, order.

The Revd. J. C. Chatterjee: I say if we do that,

(Cries of "Withdraw, withdraw" from the Opposition Benches.)

Mr. President: Order, order.

The Revd. J. C. Chatterjee: I say, if we are prepared to do that, then we shall have a much greater claim to ask for what we are asking to-day. (Loud cheers from the Government Benches.)

Lala Lajpat Rai: Sir, I think I know more of the League of Nations than the Revd. Mr. Chatterjee does, in spite of his being Secretary of the Delhi Union. I have been to that office more than once. It is not a question of propaganda. It is a question of the status of India in the League. India was made an original signatory to the Treaty of Versailles. When that Treaty was being discussed in the Senate of the United States of America, Senator Reed, got up and said:

"The British Government have managed to have one additional vote by getting a seat for India in the League of Nations, although India is not a self-governing nation, but a nation of three hundred million chattels managed by the British."

That is the reason why India was made an original signatory and saddled with the cost of the League of Nations. We get nothing from there but Great Britain gets an additional vote. The League is practically owned by the British, the French and one or two other nations. What we want by this cut is not a chance of any elected Member of this House being sent to the League. There is no chance of that as long as the present constitution of the Government of India continues. What we are contending for is the honour of India. Even if any of the Princes, any of those in whom Government have confidence, is appointed a leader, this point of principle will be conceded. What we are fighting for is not for one of us to go there. We would be quite out of place there, because

[Lala Lajpat Rai.]

we have not got the necessary qualification, namely, to support the British Government at all costs and in all circumstances. What we are fighting for is the question of principle, a question of the honour of India. We do not care who is appointed, so long as he is an Indian who is appointed leader. The British Government can vindicate its action in having India as an original signatory to the Treaty of Versailles only when it sends an Indian delegation under Indian independent leadership.

(Several Honourable Members moved that the question be put).

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

(At this stage, Mr. Graham rose to speak.)

Mr. President: Mr. Graham.

Mr. L. Graham (Secretary, Legislative Department): Sir, I have no wish to detain the House at any length. A great deal has been said on both sides, but putting aside the somewhat hysterical interlude on the part of Mr. Duraiswami Aiyangar, who apparently wishes that the League should settle outstanding questions between Great Britain and India, the real question which we are left with on this motion is the constitution of the Indian delegation and its leadership.

I should like to confine myself to those two points, and in doing so I shall try to be very brief. I did in this House the other day make a statement which was originally made in the Council of State by the Honourable the Law Member with very great deliberation and with very careful selection of language on the subject of the Indian leadership, and the reason why it was made so very carefully is that the last thing which the Government wish to do is to offend Indian feeling in this matter. There is no question of putting a slight upon India. A team goes to represent the Government of India, and for reasons which were stated—perhaps I had better read them again—it has been the deliberate conclusion reached after very careful consideration by the Secretary of State and the Government of India that that team should be headed by an Englishman.

Pandit Madan Mohan Malaviya: By an Englishman?

Mr. L. Graham: By an Englishman.

Mr. R. K. Shanmukham Chetty: When was it decided?

Mr. L. Graham: This was announced on the 24th August 1926.

Mr. R. K. Shanmukham Chetty: In the Council of State?

Mr. L. Graham: In the Council of State. The announcement was to the following effect:

“With regard to the leadership of the delegation, somewhat different considerations arise. The discussions at the meeting of the Assembly invariably include in

their scope difficult questions of foreign policy and international relations. For these in the case of India under the present constitutional arrangements, the Secretary of State for India is responsible, and as a Member of the British Cabinet he is of necessity fully acquainted with the trend of the policy of His Majesty's Government in regard to these matters. It has accordingly been customary to appoint persons to lead the delegation who, in addition to possessing personal knowledge of India and Indian conditions, have been in a position to appreciate the guiding principles of His Majesty's Government's foreign policy and are thereby specially qualified to carry out the responsibilities devolving on the Secretary of State in this regard."

Sir, the Members of this House may agree with that or they may dispute it, but they cannot find in it a slight upon India.

Now Sir, I proceed to the constitution of the delegation. Those Members who, more fortunate than myself, have attended the meetings either as delegates or substitute delegates or even as spectators of the Assembly of the League of Nations, are aware that the greater part of the work of the Assembly is done not in the Assembly but in six Committees. Now, Sir, the actual number of delegates—the maximum number of delegates—allowed under the Covenant is three, but in addition the Government may send a number of substitute delegates. We have gradually been increasing our team, Sir, with a view to enable ourselves to get adequate representation and to play our part fully and play it well in each Committee. Our team for the last two years has consisted of three delegates and three substitute delegates, and on each occasion, Sir, the proportion of Indians and Englishmen has been two Indians to one Englishman. In the last session in 1927 the leader was the Rt. Honourable the Earl of Lytton. The other two delegates were His Highness the Maharajah of Kapurthala and Sir C. P. Ramaswami Iyer. There were with them as substitutes,—I may remark here, Sir, that substitutes in Committee rank equally with the delegates,—there were with them Sir Edward Chamier, well known to those Members in this House who come from the United Provinces, Sir Fazli Hussain, and Sir B. K. Mullick. There, Sir, you have a team of six, four of whom are Indians, and in the opinion of the Government of India they form a most adequate team to represent the Government of India. Moreover, Sir, I have no hesitation in informing this House from information received by us from entirely reliable sources that that team made a very good name for India at Geneva. I have a communication, Sir,—unfortunately I have not brought it with me—which said there was no doubt about it that the Indian delegation at Geneva was the best of the Asiatic delegations.

I do not think, Sir, that we should take up questions outside these, because I really think those are the questions about which the House would mostly like me to clear up the Government attitude before its vote—that is to say, the leadership and the general constitution of the delegation. The question, I think, of representation in the Secretariat does not really arise on this vote. I may remark here that we have three times—in 1922, 1924 and 1926—instructed our delegates to press for an increase in the employment of Indians in the Secretariat at Geneva, but, as I have had occasion previously to say in this House, vacancies do not occur every day. The original staff has been recruited and it is not easy to get what we might call proportionate representation for every nation, that is to say every member, in that body.

[Mr. L. Graham.]

I trust, Sir, that those Members of the House who take an interest in this matter will increase every year. I am not proposing to do propaganda for the Indian League of Nations Union, though we should certainly be glad if more Members of this House were members of that Union. I have only therefore, Sir, to say that I have set before the House the attitude of the Government of India in respect of the leadership and of the constitution of the Delegation, and I trust that the House will put their seal of approval upon the attitude of the Government of India by rejecting this motion.

Mr. President: The question is:

“That the Demand under the head ‘Miscellaneous’ be reduced by Rs. 100.”

The Assembly divided:

AYES—76.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sēsha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Bhuto, Mr. W. W. Illahibakhsh.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Diwan.
 Chatterjee, Revd. J. C.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit N. Iakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Hussain Shah, Sayyed.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kikabhai Premchand, Mr.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.

Mehta, Mr. Jamnadas M.
 Misra, Pandit Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Muhammad Nawaz Khan, Lieut.-
 Sardar.
 Murtuza Saheb Bahadur, Maulvi.
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijiut Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Rafique, Mr. Muhammad.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Rai Bahadur Tarit Bhusan.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Singh, Raja Raghunadan Prasad.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Sidheswar.
 Tirloki Nath, Lala.
 Tok Kyi, U.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

NOES—45.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Irwin, Mr. C. J.

Jowahir Singh, Sardar Bahadur
 Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji
 Chaudhury.
 Moore, Mr. Arthur.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Sams, Mr. H. A.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.

Mr. President: I understand that no Honourable Member now wishes to move any further cut on this Demand.

(Honourable Members: "No.")

Mr. President: The question is:

"That a reduced sum not exceeding Rs. 13,02,800 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of 'Miscellaneous'."

The motion was adopted.

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.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following message has been received from the Secretary of the Council of State:

"I am directed to inform you that the Council of State have at their meeting held on the 12th March, 1928, agreed without any amendments to the Bill further to amend the Inland Bonded Warehouses Act, 1896, for certain purposes, which was passed by the Legislative Assembly on the 21st February, 1928."

SECOND STAGE—*contd.*

Expenditure charged to Revenue—contd.

DEMAND No. 82—EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE FOR INDIA.

The Honourable Sir Basil Blackett: Sir, I move :

“That a sum not exceeding Rs. 13,45,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Expenditure in England under the control of the Secretary of State for India.’”

Powers of the Secretary of State for India.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I ask your permission to move the motion that stands in my name and which runs as follows :

“That the Demand under the head ‘Expenditure in England under the control of the Secretary of State for India’ be reduced by Rs. 13,00,000.”

I desire to assure the House, in the first instance, that the large sum of money which is proposed to be deducted from the Grant to the Secretary of State need not frighten any Member of this House. My object in moving this is merely to raise a constitutional issue, a very important constitutional issue, in which I am a firm believer. I believe in the progressive development of the powers of the Governor General in Council and the powers of this House and a corresponding reduction in the power of the Secretary of State and the power of the British Parliament over Indian affairs. The power of the Secretary of State, Sir, is fully set forth in section 2 of the Government of India Act, and with your permission I shall read a brief extract :

“The Secretary of State may, subject to the provisions of this Act or rules made thereunder, superintend, direct and control all acts, operations and concerns which relate to the Government or the revenues of India and all grants of salaries, gratuities, allowances and all other payments and charges out of or on the revenues of India.”

This section read with section 33 in which the Viceroy is enjoined to give due obedience to the Secretary of State, confers powers more comprehensive than the East India Company or even the Moghul Emperors possessed. During recent years political opinion in India has veered round in the direction of India as against Whitehall. During Lord Minto's regime, I know very well, the political opinion led by my esteemed friend, the late Mr. Gopal Krishna Gokhale, was in favour of looking upon the Secretary of State as the ultimate court of appeal and the India Council as the last trench in which the battles of financial justice should be fought and won. Then, Sir, with the promulgation of the famous Delhi despatch during the Durbar, at which His Majesty the King-Emperor was present, which defined the goal of India to be provincial autonomy, the opinion of Indian political bodies veered round in the direction of India and they

claimed more powers to the Governor General in Council than to the Secretary of State. With the reform movement of 1919-21, the position underwent a complete change, followed by changes in the Secretaries of State which began with Mr. Montagu, and the exercise of the extensive powers became liable to considerable variations. But I feel, Sir, that at no time have those powers been used with greater rigour than at the present. Sir, I can recall successive Secretaries of State. When I was a boy, I knew that the Marquis of Hartington was our Secretary of State, and to-day I know the Noble Earl, Lord Birkenhead, is the Secretary of State for India, who fills his position with such conspicuous ability and distinction. I have often noticed, Sir, that in the transactions with India, no matter whether the Viceroy is a brilliant man or the Secretary of State is the weaker man of the two, the man at Whitehall has always won. Who can forget the battles between a mediocre Secretary of State and a brilliant Viceroy? Who can forget the conflict over the Kitchener-Curzon controversy? Within recent years I have seen another mediocre Secretary of State who got into the India Office for a short time when we had a master mind like Lord Reading as Viceroy of India. The Secretary of State entrenched as he is by the authority of the British Parliament, by the authority of the King, can wield and is always wielding extensive powers over the Government of India, and we wish to curtail those powers as much as possible.

Of recent transactions of the Government of India I shall give only a few instances. In the first place, I want the House to recall the Reserve Bank Bill. When the Honourable the Finance Member, to whose tenacity of purpose and fairmindedness I desire to pay a well-deserved tribute, fought with the odds against him, to secure for India a complete control over currency and credit in this country, the present Secretary of State for India held his hand out and said, "No further". It was on this motion that my friend Mr. Chaman Lall brought a vote of censure and it was carried. But the Secretary of State still pursued his normal course. Then our Finance Minister made up his mind to carry the battle further and he did not wish to give up his self-appointed task. He proceeded to England, full of optimism and full of hope, and when I heard for the first time that he had come out with an agreed Bill I really felt perturbed. Then, Sir, I had a talk with one of the leaders of this House who is absent at present . . .

Mr. President: Order, order. The Honourable Member is not justified in referring to a talk which he had outside this House.

Mr. K. C. Roy: I bow to your decision, Sir. I knew at once that the Bill was under sentence of death. It was not even the Bill of the Secretary of State; it was the Bill of the City of London; it was a Bill which was backed less by Lord Birkenhead and more by Mr. Goodenough. What is the result to-day? India is without any control over her currency or credit policy. The control of policy remains with the Secretary of State, and for this I hold the India Office entirely responsible.

Then, Sir, I come to the next point. The next point is about the Statutory Commission which has been discussed on the floor of this House this morning. I yield to none in my respect for the Commission, and I adhere to every word I said on the previous occasion. But my complaint is that the Secretary of State having appointed a Royal Parliamentary Commission should have also made ample provision to meet the cost of this

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Commission in India. I know, Sir, that the British Government have already made a generous provision of £20,000, but they should have gone a little further than that. The Honourable Mr. Crerar this morning asked us to vote for the Grant. I am very sorry I could not vote for it. My reasons are

Mr. President: The Honourable Member is not in order in explaining his reasons for not voting on the previous motion.

Mr. K. C. Roy: It is not that, Sir. This Demand for the Secretary of State contains a votable item of Rs. 5,000. The Honourable Mr. Crerar is fully aware that the British Government paid for the Milner Commission to Egypt. The Honourable Mr. Crerar knows that they paid for the delegation which went to Australia to inaugurate the Federal Parliament. The Honourable Mr. Crerar is aware that in 1923 the British Government entirely paid for the Commission that proceeded to Kenya; and if the Secretary of State had shown a little foresight, a little generosity and a little far-sightedness, the Government of India would not be in the position in which they found themselves this morning. This is my second point.

I now come to a number of complaints concerning our defence problems. We all know that the Government of India had the Skeen Committee. The result is known. I will not go back to that. I should like only to point out that in military matters the Secretary of State for the time being is supreme master and the Government of India counts for nothing. At his elbow is a distinguished military officer General Hudson, who is a Member of the Council of India. He has another distinguished officer, Field Marshal Sir Claude Jacob, whose name is well known to Members of this House. I do not understand the position of these two military officers. Do they represent the views of the Government of India, or do they represent the views of the Secretary of State, or do they represent their own views on military matters? These are the riddles to which an answer is needed. No wonder, therefore, Sir, that whenever military problems go from India to London the action taken is retrograde and not progressive. I hold the Secretary of State responsible for this position. Now look at the Bill which this House refused the other day, the Navy Bill. The Navy Bill had a very laudable object in view. If the Secretary of State had been a little more sagacious and far-sighted, and if he had given over the control of that 60 lakhs of rupees into the hands of this House, that privilege could never have been abused. But he sent a mandatory Bill to be passed by this House. This House in the domain of legislation is almost autonomous and it resents a measure of that nature. Now, Sir, I come to the Territorial and Auxiliary Forces Bills. The Committee's recommendations have been whittled down and we have the Select Committee's Report before us. Even there, Sir, there is a discrimination in favour of European enemy aliens. Sir, I blame the Secretary of State for this too.

Now, Sir, I come to the question of Indians overseas. It will be in the recollection of this House that on the first day of the Simla Session a motion was made asking the Secretary of State to use his good offices to put Indians on what is known as the Commission which recently went out to East Africa to deal with the question of the federation of the East African States. And what is the result? Not a single Indian has been put on it.

But our views have found support in an unexpected quarter. The two Governors of Uganda and Tanganyika have entered a firm protest against the projected policy of His Majesty's Government.

Then again, as regards our foreign policy, to which my Honourable friend Mr. Graham alluded this morning, the Secretary of State is completely beyond our control. The key note of our frontier policy is to be found in our North West Frontier Province. I believe for political reasons the reforms in the North West Frontier Province have been delayed. I am one of those who agree with the majority recommendations of the Bray Committee, and I hold the Secretary of State responsible for not giving reforms to the North West Frontier Province for which my friend Sir Abdul Qaiyum has been clamouring for years.

Now, Sir, what is the position of the Secretary of State and how does he function at Whitehall? Sir, he has a Council which nobody wants. As one of the witnesses before the Crewe Committee I was one of its warmest advocates, but events have convinced me that the Crewe Committee were right and I was wrong. Then, Sir, he has an efficient and highly trained Secretariat known as the India Office in which there are no Indians, and you find that there are very few European members of the Indian Civil Service. So the machinery which he uses for guiding the government of India in this country is entirely alien in character and thought. Even the modest proposals made from time to time for an exchange of officers between the Secretary of State and the Government of India have been met with a negative. I hold the Secretary of State responsible for the absolutely non-Indian views which we find given expression to in official documents.

Now, Sir, I come to the last point, the operative point. We know that the Royal Commission on Reforms is in this country. And it is time that a movement should be set on foot to appoint a Committee of very competent men to explore all possible avenues for increasing the power of the Governor General in Council and the power of this House at the cost of the Secretary of State and the British Parliament. I yield to none in my respect for Lord Birkenhead, but I believe he is more a God of destruction rather than of construction.

I commend the proposition to the House.

The India Office being a reactionary body not wanted by India.

Mr. M. K. Acharya: Sir, I rise to support the motion so ably moved . . .

Mr. President: I take it that the Honourable Member does not move his own motion?

Mr. M. K. Acharya: No, Sir, I am commanded by my Party not to move my own but to support the motion of Mr. Roy.

Mr. President: If the Honourable Member moves his motion the Chair will permit him.

Mr. M. K. Acharya: I thank you, Sir. I then move:

“That the Demand under the head ‘Expenditure in England under the control of the Secretary of State for India,’ be reduced to Re. 1.”

As I have very briefly stated in the motion itself

Mr. N. M. Joshi: May I ask if Mr. K. C. Roy's motion is before the House or Mr. Acharya's?

Mr. President: Both motions are before the House.

Mr. K. Ahmed: But the cuts are alternative ones. I submit only one should be before the House at a time.

Mr. President: Order, order.

Mr. M. K. Acharya: Sir, as I was just saying, I propose this cut—a very large cut of course it is—on the ground that the Secretary of State or the India Council, as it is called, is a very old and reactionary body that we really do not want. This latter statement of mine I shall support simply by reference to a Resolution of this House. We said that we did not want the Secretary of State's Council on the 8th September 1925, in the historic Resolution of this House which demanded a round table conference. We then laid this as one of the chief points which ought to go into the revised constitution which we then had under consideration. Clause (c) of that Resolution reads:

"The Council of the Secretary of State for India shall be abolished and the position and functions of the Secretary of State for India shall be assimilated to those of the Secretary of State for the self-governing Dominions and so on."

My contention therefore, Sir, is that this House on the 8th September 1925, after very careful deliberation, passed this Resolution by an overwhelming majority—and therefore the sense of this House as then unambiguously expressed is that the Council of the Secretary of State shall go. Therefore, Sir, I contend I am right in stating that we do not want the Council of the Secretary of State. And the reason why we do not want it is simply that we have felt—and I am sure if all the confidential papers that have passed between India and Whitehall should ever see the light of day, the point will be clear, the principle almost will be clear as Mr. Roy enunciated it—that in all conflicts that have arisen between England and India, between the Government of India here and His Majesty's Government there, on all such occasions, and on all points Whitehall has won, and Delhi or Simla or Calcutta whichever it was has always lost. And that, Sir, is what most irritates Indian opinion, that on every point, on every great question or problem on which Indian opinion is keen, we have lost or have been forced to yield to the dictates of Whitehall. For it is not Indian opinion that is represented by the Secretary of State but English opinion. Sir, historically speaking, this Council of the Secretary of State is simply the heir and successor of the old East India Company's Board of Control and Court of Directors . . .

Mr. K. Ahmed: What about the three Indians who are on the India Council?

Mr. M. K. Acharya: They are fossils taken there to add, to give some kind of colouring to the whole show, but I will come presently to that. Sir, this India Council was created by the Act of 1858 as everybody knows, and here is what is said in a very respectable book, an authority almost on the subject; I read from Ilbert:

"The Act declared that India is to be governed directly by and in the name of the Crown through the Secretary of State to whom are to be transferred the powers formerly exercised by the Court of Directors or by the Board of Control."

"By the Court of Directors or by the Board of Control"—a very significant phrase it was. The scheme simply was to perpetuate what may be

called the exploitation, the commercial and economic and political exploitation which was carried on in the days of the old John Company; the old exploitation thenceforward to be carried on in the name of the Secretary of State in Council. That is the whole point, Sir, all the old, old order of things was to be continued under a new name and procedure. The Secretary of State in Council was to be just the John Company with its Board of Directors and Board of Control and all that. And what has been the policy? The policy has been the same, namely, to take as much away from India and give as much to England as possible; to stand between the Indian people and the ultimate realisation of their legitimate hopes and aspirations. That has been the marked feature and policy of the Secretary of State's Council. I do not wish to refer you to the Old Testament to the disservices of the India Council in the earlier decades: my Honourable friend, Lala Lajpat Rai or Pandit Madan Mohan Malaviya could, if they were so minded, speak for hours recounting all the many occasions on which the India Council stood between the Indian people and their aspirations. I shall only take the liberty of referring to the latest New Testament days. I shall just take a few instances from recent happenings. My friend Mr. Roy has already referred to the glorious part played by the India Council in a matter in which there was nothing very politically involved. There was the economic and financial question of a State Bank. Our good colleague, Sir Basil Blackett, to whose integrity, to whose capacity and to whose good-will so far as I know many of us can bear testimony, was it seemed amenable to our wishes; or we thought so. But suddenly flashed across the wires a cable saying, "No, thus far thou shalt go and no further". And indeed on such occasions it does not matter who it is; it may be the Governor General or any Member of Government; whoever he is, before the great Lord of Whitehall, whoever may be the friend of India he is powerless. This is why I call Whitehall, Sir, a reactionary body. I would like to know if there ever was an occasion—perhaps there might have been, for there are exceptions to every general rule; and there might have been an occasion when perhaps Lord Morley was at the India Office;—but was there any other occasion when any initiative was taken in Whitehall to advance India towards responsible government? But after all, a single swallow does not make a summer; and the entire political transactions between the Government of India and the Government of England, if they should ever see the light of day, would I am sure bear on every page of the record this impression that Whitehall had always demanded and India had always to yield unconditional submission. I have no doubt, Sir, that even in some of those recent matters that have been engaging the attention of this House and of the country, such as with regard to the question of the larger employment of Indians in military services, the question of an Indian Sandhurst, and so on, India has looked at it from one standpoint, and Whitehall from quite another standpoint. The gods in effect say, "You have no rights; we will grant you some concessions: five places here, ten places there, three more vacancies here and one more committee or member there"! That is the attitude, Sir, which I conceive to be the British; which I might reduce to a formula thus—'While the Britisher is for granting concessions to the Indian, the Indian is for his rights'. The Indian wants his rights in the Army, his rights in the Legislatures, his rights in the expenditure of his money, his own

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legitimate rights as citizen of what is called a free country. He wants his own full citizen rights; but Whitehall says: "No; only these few concessions we shall make."

Now, Sir, I should like to put this small question to the Honourable Members opposite. Can they say that the India Office really takes any trouble to represent the views of the people of India? I shall give only one instance. Only the other day in November, when this question of the Statutory Commission was being discussed in Parliament, Earl Winterton said that five times the Indian Legislative Assembly wanted the date of the Commission to be accelerated. He was asked to produce the full terms of the Resolutions of this House saying that the date of the Statutory Commission should be accelerated. He was asked this several times; and what was the reply? He referred to the debate on Constitutional Reform that took place in this House in 1924. I thought in 1924, when you were here along with us, Sir, that we demanded a Round Table Conference; but it was represented there by the Under Secretary of State for India that this House in 1924 asked that the Statutory Commission should be appointed immediately. Earl Winterton's statement was challenged; he was asked to show whether really in 1924 this House asked that the Statutory Commission should be appointed immediately. When he was asked to produce the text of the Resolutions, the Under Secretary of State would not: that is the work of the India Office there. Lest it should be thought I am drawing on my imagination I shall quote from the speech of Miss Wilkinson, a Labour Member of the House of Commons—I wish there were a Miss Wilkinson here to support my friend, Mr. Joshi, on behalf of Labour; she said:

"It is, I think precisely 20 minutes since the Noble Lord was asked to bring forward proof of his statement that the Indian Legislature had five times passed resolutions asking for this Commission to be set up. We have waited for the Noble Lord to lay before the House those proofs, which he has now had ample time to obtain. I presume the Noble Lord would hardly have made that statement if the proofs had not been obtainable, unless he imagines that we on this side are so cowed by his general attitude of superiority to Labour men and black men and other inconsiderable trifles as to take his word without any further proof at all. May I say to the Noble Lord, perfectly flatly, that unless he can produce those five resolutions we do not believe him?"

This, Sir, is the work of the India Office: they cannot supply to the Under Secretary of State, who was speaking in the House of Commons, the Resolutions on which he was supposed to be relying, for showing that we wanted the Statutory Commission. That is only one instance. I do not know whether the Honourable Home Member or the Finance Member finds any difficulty here, if either wanted particulars of any Resolution passed by the two Houses, in getting them from his office. I am sure he could get them in five minutes. But in that great place, the Under Secretary of State for India within twenty minutes even could not get copies of the Resolutions on which he was supposed to rely. Another charge shall I mention? Another charge was made in the course of the debate about the Publicity Department attached to the India Office, like the Publicity Department attached to the Government of India. It was the same Member of Parliament that made this deliberate attack on Government, which was not repelled, that the Publicity Department there took great pains to circulate that notorious book of Miss Mayo's to the Members of Parliament. That statement was made on

the floor of the House of Commons and that statement I say was not repelled.

The Honourable Mr. J. Orerar: It has been repelled.

Mr. M. K. Acharya: Has it? Does the Honourable Member want to know what she said? She said that the author received great encouragement in the writing of that book and in publishing of the book. She also said:

"I merely want to suggest, on the question of time, that this book has been written and that it is generally believed that the writer, an American journalist, received a great deal of official encouragement in the writing of the book. I propose to raise that matter more fully if I have the opportunity. Merely on the question of time, the Government has chosen its opportunity well from its own point of view, and those who are concerned with the publicity department both of the government of this country and the Government of India have laid their plans well in order to create the atmosphere that they want."

If this had been an unfounded statement, I am sure objections would have been taken to it on the floor of the House of Commons. As it was there was that deliberate statement made and it was allowed to go uncontradicted.

The Honourable Mr. J. Orerar: That statement has frequently been denied with the authority of the Secretary of State on the floor of this House.

Mr. M. K. Acharya: Sir, if that denial is to be believed, I believe it must be backed up by other proofs than mere denial. However, all that I am concerned with is this. I know it will be denied here; but the fact is there, that the statement has not been challenged in the place where that statement was made. That is enough for my purpose. Whether it is true or untrue, I am not here to say and do not say one thing or the other. The charge has been made in Parliament and it has not been denied there; but straightaway the Home Member here is on his legs and denies that. Why didn't the Under Secretary of State deny the statement if it were false? It was his duty to have done so. He did not. The fact that he did not goes to show either he did not care to do so or he was not willing or, as I consider, he was not able to disprove it. Now pass on; here are one or two items about which we should like to have some detailed statements. How much of this money that is going to be granted to the Secretary of State for India and his Council, how much of this money is going to be spent in circulating perhaps another canard, like the canard to which Earl Winterton gave expression the other day, namely, about the Resolutions passed in this House in 1925 and 1924 and in previous years? I do not know how much of this money is going to be spent upon canards painting the Commission's successful tour from Cape Comorin to the Himalayas; how much of the money is going to be spent upon advertising how warmly the people received the Commission and how all the people were for it. What is the amount that is going to be spent out of this on the Publicity Department as it is called in England? Is there a Publicity Department attached to the India Office? How much money of the poor rate-payers of India, the poor Indian tax-payers is going to be spent upon keeping the people of England supplied with all kinds of imaginary accounts with information that is partly correct and partly

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incorrect? It all tends towards one purpose, namely, not of representing India properly, but on the whole of misrepresenting India.

These, Sir, are some of the very many detailed ideas that crop up in our minds when we say that the India Council is a reactionary body. There have been, I know, one or two Indians appointed. But for what purpose? Simply to give a colouring as it were to the name of the India Office! Time was when Indians used to demand employment in the higher services. Time was when they thought that a very great object of life was gained when an Indian was appointed to the Executive Council of the Viceroy, or when an Indian was appointed to the India Council. And to please the mentality of those Indians, these great concessions were made, and certain Indians, I suppose one or two, were allowed even on the India Council. This was considered a great matter of favour. But what was the kind of Indians that were taken there and what were the rights and privileges of those members of the India Council? I do not want to go into very many large quotations, but I could read out chapter and verse from recognised authorities to show that on many important matters the Secretary of State need not agree with his Council at all. It is only a consultative body. He consults the Council on those occasions and on those matters only on which the Secretary of State is pleased to consult it. The Council is not a body to whose opinions the Secretary of State is always bound to defer. Therefore this consultative body is purely to afford, I suppose, places for retired European officials, who after having spent long years in this country, when they go back, want still to take something more from the revenues of India. To just provide berths for these people, here is the India Council. It affords occupation for 10 people. In the old days the number used to be 15. 8 out of the 10 berths could be secured for these retired Anglo-Indian officials. It is reserved for them. I dare say that on some small matters the Council might be consulted; some small functions might be given to them. But I would like to know if on any occasion the India Council took a bold stand to tell the Secretary of State for India that this or that other thing is what India wants, and that the Secretary of State must give what India wants? If any such record could be produced, perhaps we might be tempted to modify our opinion. In the absence of such proofs, we must protest against this demand emphatically. Though our knowledge may not be official, some of us have heard from people who have been on the India Council—I had the privilege to know at least two Indians who have been on the India Council—and we have had first hand information from them that their powers and functions were very nominal. I believe that they were telling us the truth. There was no reason why they should tell us anything that was not true. Therefore the India Office is there simply in existence to dot the i's and cross the t's of what the Secretary of State wants. As I have already stated the whole principle seems to be that the Secretary of State and his Council should form as it were a barrier between India and the realisation of her legitimate aspirations. The Secretary of State in Council is there to protect English interests, British interests, exactly as in the old days the Board of Control or any other body of John Co. would have done. They are there to safeguard British interests and not Indian interests. I should like to know why

we should be asked to pay a single pie, a single farthing, to a body which is in existence to protect primarily British interests and not Indian interests.

Mr. President: But the Honourable Member wants to give one rupee.

Mr. M. K. Acharya: Yes, Sir, that is the fiat of the Standing Orders; I would otherwise be shut out.

I was just developing this point Sir, that the India Office therefore is a reactionary body. It is quite open to the other side to give an account of all the great benefits that we get from the India Office, how without the India Office, we all would be swept away by some flood. If they could show that India owes any advantage in her present position, politically, economically, financially, or in other directions, to the India Office, then after a careful examination of the facts and arguments that they may be able to advance, perhaps I may be prepared to reconsider my position. But as it is, I have not up to date heard from anybody anything to come to the conclusion that the India Office has really rendered any service whatsoever to India. On the other hand, whatever it does is by way of disservice to India, misrepresenting India, circulating false information and all kinds of damaging statements about India, and until we are told what exactly is the way in which this money is going to be spent—it is very difficult for me from this book to find out what exactly are the items on which it is to be spent,—we cannot vote as we are asked. For instance there is one item of Rs. 58,000 under “Miscellaneous”. How it is going to be spent, I do not know. Then our old friend the Simon Commission also appears under this head for Rs. 5,000. Therefore, unless we are definitely to know that at least a portion of the money that we are asked to vote under this head is going to be spent in the best interests of India, I do not think this House will be justified in granting, as I said before, anything more than perhaps a single rupee. My grounds for saying this are two. Firstly, we do not want this India Office at all, and, secondly, it has been doing a great deal of disservice. For these two reasons, and I thank you very much, Sir, for allowing me to move the motion, I do move that the Grant be reduced to one rupee.

The Honourable Sir Basil Blackett: Sir, I cannot help feeling that both Mr. K. C. Roy and Mr. M. K. Acharya are labouring under some misapprehension in regard to the money which they are asked to vote under this Grant. They are not asked to vote even a rupee for the salary of the Secretary of State; that is a charge on the British Exchequer. They are not asked to vote even a single rupee towards the salary of the Under Secretary of State. They are not asked to vote a single rupee towards the expenses of the India Office for the purpose of control of the Government of India. What they are asked in this Grant is to vote money for services carried out in the United Kingdom, the agency of which is carried on by the India Office. This has nothing whatever to do with the Secretary of State's Council and the Secretary of State's control over Indian services. In these circumstances, I find it rather difficult to understand why Mr. Roy should want to reduce the sum to Rs. 45,000 and Mr. Acharya to reduce the same to one rupee. Mr. Acharya's motion is to reduce the sum of Rs. 13,45,000 to one rupee. The effect of such a cut, supposing it were carried, would be merely that the Government of India would be without an agency for the time being for carrying on several essential services in the United Kingdom.

An Honourable Member: So far, so good.

The Honourable Sir Basil Blackett: They would not be the less under the control of the Secretary of State nor would the Secretary of State be in any want of funds to carry on that part of the functions of his office against which an attack has been made this afternoon.

I do not propose to follow the Honourable Members into the details of the cases in which they allege, frequently I think, without any knowledge of the facts, that there has been an undue interference by the Secretary of State with the Government of India. The attack of the Honourable Members, although I think it to be irrelevant to this vote, is against the constitutional position which will not be altered by the carrying of this vote, nor can the carrying of this motion even be taken as anything except as a protest against certain works being carried on in the United Kingdom by the agency of the India Office instead of by some other agency. That is all that the vote can possibly mean. If the amendment is carried against the Government, there will be no money for all sorts of miscellaneous civil charges detailed on page 729. I think possibly the only relevant item to any of the speeches that have so far been made is the figure of Rs. 5,000 for the expenses of the Indian Statutory Commission. In these circumstances, I do ask Honourable Members to pause before they pass this cut. After all, the various Demands are put before this Assembly in order that they may be discussed in a responsible manner. If a cut which reduces the Grant to an almost non-existent figure is carried, obviously the Assembly is merely showing that it chooses in this matter to have no responsibility in connection with the Grant. It is a point that has been made again and again, and it is a point to which I have always attached importance. A good many Members of this House have attached importance to this point but the majority has veered, to use Mr. Roy's word. It has sometimes walked into the lobby with Mr. Srinivasa Iyengar and Pandit Motilal Nehru and then it has repented for having done so and has come back.

Mr. S. Srinivasa Iyengar: Never.

The Honourable Sir Basil Blackett: The Honourable Member disbelieves everything. He disbelieves even statements by some of his victims. That is the position, Sir. I ask the House to consider whether it really wants to take away from the Government of India a provision for the expenditure provided for in this Grant which is absolutely essential and cannot be spared.

Sir Purshotamdas Thakurdas: Sir, I rise to support the motion moved by my Honourable friend Mr. K. C. Roy. As I was listening to his speech, I felt that he had made out a strong case against the Secretary of State for the various acts of omission and commission mentioned and which this House should look upon with great disapproval. But I felt, Sir, that the point raised by the Honourable the Finance Member was the one that was overlooked by Mr. Roy. It is quite true that the pay of the Secretary of State and of the Under Secretary of State and a part of the staff of the India Office is on the British list, but the Honourable the Finance Member asks us to vote this money, or to vote against Mr. Roy, because the charges of which the 13 lakhs of rupees is made up are charges for agency work of the Government of India. Now, may I ask the Honourable the Finance Member to tell me why the Government of India must have two agencies

in London? There is the High Commissioner for India. This High Commissioner for India has the same status, or at least he should have the same status, as the High Commissioner in London for any other Dominion of the British Empire. The High Commissioner's office was started simultaneously with the Reforms, and why has the Government of India tolerated, and why has the Secretary of State insisted, upon retaining his own agency for some work yet? I wish the Honourable the Finance Member will, now that he has no right of reply himself, get some other Member on the Treasury Benches to tell us why the Government of India find it necessary still to have two agencies? It is very important that this House should know why the Government are anxious to retain these two agencies. The only *raison d'être* of the Secretary of State and his office is the work of supervision, superintendence and the responsibility that the Secretary of State carries to the Parliament for which the British Exchequer, in all sense of fairness, has made the necessary provision. I feel that in addition to the various reasons given by Mr. Roy this reason, namely, the insistence of the Secretary of State on retaining this work of agency, does require a very strong vote of censure from this House.

Mr. N. M. Joshi: Sir, from the list of motions for reduction which are on the agenda, you will find that I have given a notice of reduction suggesting the transference of the functions of the Secretary of State, at least some of his functions, to the High Commissioner. Sir, I think I should take advantage now of this discussion in order to make the suggestion I wanted to make. My work, as Sir Purshotamdas Thakurdas has pointed out, has been made very easy by the Honourable the Finance Member stating that most of the expenditure shown in this Grant is for agency work. If he had said the expenditure was required for supervision and control, then certainly he could have said that the Government of India Act must be changed before any more functions . . .

Mr. President: If the Honourable Member wishes to raise the point which he now discusses, he can do so after this motion is rejected by the House.

Mr. N. M. Joshi: I will do so, Sir.

Mr. President: The Honourable Member will be entitled to raise the question of policy of the transfer of some functions to the High Commissioner if this motion is defeated.

Mr. N. M. Joshi: Which motion is defeated?

Mr. President: Mr. Acharya's.

Mr. N. M. Joshi: Well it will not be defeated (Laughter). Mr. Roy's motion is for taking away Rs. 18 lakhs. I am going to vote so that no money will be left to the Secretary of State and all the functions will be transferred to the High Commissioner.

Mr. President: Which item does the Honourable Member refer to?

Mr. N. M. Joshi: I am speaking on the policy of the Secretary of State. I have two amendments, one about the Indianisation of the establishment and the other for the transfer of some functions to the High Commissioner. I want the functions of the Secretary of State to be transferred to the High Commissioner, so that no money will be given to the Secretary of State.

Mr. President: What about the money for other purposes?

Mr. N. M. Joshi: That is for supervision and control. That is a matter for the British Parliament.

Mr. President: Mr. Joshi.

Mr. N. M. Joshi: If we look into the details of this Grant it will be found that most of the money is required for the work of agency, which is done by the Secretary of State on behalf of the Government of India. I need not go into the details of all these items on which the money has been spent, taxes, forests, jails, etc., so that it is quite clear that the work which the Secretary of State is doing is really agency work. There are certain functions which the Secretary of State performs which ought to be transferred to the High Commissioner, such as the work in connection with the League of Nations, India has been made a member of the League of Nations, as an independent country, otherwise India could not be a member of the League of Nations, and if India had been an independent member of the League of Nations, it would be necessary that all the relations of the Government of India with the League of Nations should be maintained through its agent, the High Commissioner and not the Secretary of State. That function should be taken away from him and entrusted to the High Commissioner.

Then here are many items of expenditure such as on the Agricultural Commission and the Commission on Currency. I do not know why these Commissions also should not incur their expenditure through the High Commissioner instead of through the Secretary of State. Then there is an item of Secret Service expenditure. Here also if the Government of India want to run a secret service in Europe, they can do so through the High Commissioner, and not through the Secretary of State. As far as I am concerned that money should not be voted at all.

Sir, for all these reasons it is necessary that most of these functions which the Secretary of State is now performing and which are admitted to be agency functions should now be transferred to the High Commissioner.

Then there is one more point about the policy of the Secretary of State. That policy relates to the appointments in the India Office. The Secretary of State is following, in my judgment, a very wrong policy in appointing Europeans in the India Office. I do not know, if the whole office is to be staffed by Europeans, why it should be called India Office at all, and as far as Indians are concerned it is very humiliating to us to visit an office called the India Office and not find any Indians there? I wish to tell you a small bit of my own experience when I was in America, so that the Members will realise what must be the feeling of the people who visit our India Office. When I went to Washington I was interested in studying the life and history of the Red Indians, therefore I asked a friend of mine where I could learn something about them? He asked me to go to the Indian Department of the United States Government. I secured some introductions and went to that office called the Indian Department, and on account of the introductions I was allowed to interview many people. I went from room to room, but I could not tell them I wanted to see a Red Indian, because

that would make it appear that I thought the Red Indians were open to exhibition. I went from room to room to see people, and when I came to the last room I asked, "Could I not see any Red Indians in this office. This is called the Indian Department but there are no Indians here." The reply was, "If you want to see any Red Indians we have got the cinema film here where you can see them." I felt some pity for the Red Indians, but my pity did not last long. I thought that there was a similar department in the city of London where people from other countries may experience the same experience I had in the Indian Department at Washington. If any man from Austria or Hungary goes to the India Office and wishes to see an Indian, it will not be easy for him if the three Indian members are absent to see any Indian in the India Office. I think it a great indignity to India that the whole staff of the India Office should consist of Europeans. I am quite sure that Indians are quite capable of doing the work which European Civil Servants are doing in that office. It may cost a little more to keep Indians there, but it is certainly worth our while to see that the whole of the India Office is staffed by Indians. I think the Secretary of State does not deserve the money which the Finance Member wants.

Mr. President: The question is:

"That the Demand under the head 'Expenditure in England—Secretary of State for India' be reduced to Re. 1."

The Assembly divided:

AYES—66.

Abdool Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sesa.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lall, Diwan.
 Obetty, Mr. R. K. Shanmukham.
 Chunder, Mr. N'rmal Chunder.
 Das, Mr. B.
 Das, Pandit N lakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Ivengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Ke'kar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirdav Nath.
 Lahiri Chaudhury, Mr. Dharendra
 Kanta,

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

NOES—53.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Bhuto, Mr. W. W. Illahibakhsh.
 Blckett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterjee, Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Cosgrave, Mr. W. A.
 Couper, Mr. T.
 Courtenay, Mr. R. H.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Dalal, Sardar Sir Bomanji.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Irwin, Mr. C. J.

The motion was adopted.

Mr. President: The question is—

“That a reduced sum not exceeding Re. 1 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of ‘Expenditure in England under the control of the Secretary of State for India.’”

The motion was adopted.

Mr. K. Ahmed: Sir, the constitution of this House is this, and the practice has been following hitherto, that when a cut of Re 1 or a nominal sum of Rs. 10 or Rs. 100 is carried, that signified not the assent but the dissent of the House by way of protest to the proposed expenditure. Here, Sir, the figure of Re. 1 has been put for reduction in the Grant under this Demand simply for discussion and therefore I wish to ask you, Sir, whether it will be constitutional if you simply put to vote that Re. 1 be granted for this instead of placing the whole amount of Demand under this head?

DEMAND NO. 40—CENTRAL BOARD OF REVENUE.

The Honourable Sir Basil Blckett: Sir, I move:

“That a sum not exceeding Rs. 1,93,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the ‘Central Board of Revenue.’”

Lack of uniformity in the system and incidence of tax collection.

Mr. Arthur Moore (Bengal: European): Sir, I beg to move the cut in my name:

“That the Demand under the head ‘Central Board of Revenue’ be reduced by Rs. 10.”

Jawahir Singh, Sardar Bahadur
 Sardar.
 Keane, Mr. M.
 Kikabhai Premchand, Mr.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Moore, Mr. Arthur.
 Muhammad Nawaz Khan, Lieut.-
 Sardar.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Sams, Mr. H. A.
 Shah Nawaz, Mian Mohammad.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Singh, Raja Raghunandan Prasad.
 Suhrawardy, Dr. A.
 Sykes, Mr. E. F.
 Taylor, Mr. E. Gawan.
 Willson, Sir Walter.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Nawab Sir.

Now that the Secretary of State has been left with one rupee, I feel that my own cut may err upon the side of modesty. I might have tried to reduce the Demand for the Central Board of Revenue by Rs. 1,92,999. But instead of that I have only asked for a reduction of Rs. 10. Sir, like Lord Clive in the treasure house, I stand astonished at my own moderation. Yet I must say that though I have a great deal of sympathy—I am not sure that there may not be sympathy also from some on the Government Benches—in regard to the attack upon the Secretary of State and I was very much tempted to vote, the cut was a little staggering for a man of my modest imagination. But now that I have in this particular case put down a very moderate demand, I hope that it will appeal to all sections of the House and that we will succeed in showing our disapproval of certain things by docking the Central Board of Revenue of Rs. 10.

The other day I listened in this House to a most interesting discussion between Mr. Neogy and Sir Basil Blackett as to whether a certain tax was a good tax or a bad tax. Well, Sir, I have the honour to represent a constituency which is very largely composed of Scotchmen; and the views of those Scotch constituents of mine on taxation are perfectly simple. They define a tax as exactly the opposite of whisky. There is no bad whisky and there is no good tax. But, on the other hand, no one has ever solved the inscrutable problem of the existence of evil. We recognise the necessity of taxation and in this world of sorrow we are prepared to pay our taxes. But we do want to know exactly what these taxes are and to have some system of uniformity throughout all parts of the country. The particular examples which I wish to mention relate to a tax of which a certain amount has already been heard in this House, the income-tax. Now, Sir, I submit that it is one of the most serious reflections, not merely upon the Government here but upon the Government of Great Britain also that there now exist associations, companies of people making a considerable living, quite honestly and properly, by getting back for people the money of which Government has robbed them. These income-tax associations do not exist in order to enable rich men to evade the tax; they exist in order to try and get back for the poor man money which the Government has wrongfully and illegally taken from him, and which this poor man cannot get back without great expense. I am not here to plead the sad case of the millionaire. I am here to plead the case of poor and middle-class people who are harassed in this way. Now, in regard to this lack of uniformity in India, the first example that I would give is this, sometime ago the liquidator of the Alliance Bank announced that there would be a dividend for the creditors and that there would remain an irrecoverable balance of, I think, four annas. Naturally the assesses wrote off that irrecoverable balance. In one province no fuss was made about that; it was treated as a matter of commonsense. But in another province it was not so; they said "You cannot write off that balance; you must pay income-tax." The unfortunate creditors of the Alliance Bank had to appeal to the Commissioner. The Commissioner decided against them. He said they would have to go on waiting, and waiting, and waiting, till ultimately the whole affair was finally liquidated, and it could be seen whether possibly there might not be another pie to be paid out to the creditors. I admit that at long last the Central Board of Revenue intervened in that case; but in the meantime, Sir, all those creditors have had

[Mr. Arthur Moore.]

the trouble of being harassed, of having had to pay this money wrongfully to Government, and also of having had to appeal.

I will take another instance. In some provinces firms have actually been refused exemption for cash discounts that they make to their customers. We all know that a tailor puts on his bill that there is a discount for cash. It actually appears that some people do pay their tailor cash! And if we may take the tailor as an example of commercial houses, it is of course a well known thing for a house to forfeit large sums in cash discounts, which do not go to the earning of profits. They really are discounts; that is to say, the money has gone. But the income-tax official does not accept that; he says that he wants income-tax on the whole sum. Surely, Sir, it is an absolutely unnecessary harassment of business men to tax them on supposed profits which are never obtained at all.

There is another case; the case of bonuses paid to share holders out of profits already taxed. We find that in some provinces the income-tax people attempt to tax that over again in the hands of the recipient of these already taxed profits. There seems to be no uniformity and no system, and this is undoubtedly due to the fact that you have in the provinces a lack of people—especially upcountry—who are familiar with the system of commercial accounts and with ordinary business methods. I am sorry to say that they treat businesses as suspicious concerns from which they are supposed to extract all they can for the Exchequer without regard either to legality or to morality.

Now, the Honourable the Finance Member the other day asked us to treat the income-tax officer as a friend. Well, Sir, there is an old argument in this House—I seem to have heard of it before—as to who is to begin the co-operating. But I do think that the Government very largely misunderstand the attitude of the small man with regard to income-tax. It is not that he objects to pay income-tax. He objects to the continual harassment that he is subjected to, and to being forced to pay sums which are not legally due, sums which he finds it extremely difficult to recover, and which in fact he can only recover by a slow, laborious and costly process.

Take another instance; the case of the Agent of a foreign company, a case which has led the Government into very curious legislation or attempts at legislation. The income-tax people are very unwilling to accept the certified accounts of the foreign trader. They insist on attempting to levy income-tax in India proportionately on the profits made on the whole scale. They insist on assuming that if a firm is trading all over the world and is earning profits at a certain rate, its Indian branch is therefore also earning profits precisely at that proportionate rate. We all know that very frequently that is not the case at all. In India a firm may be having exceedingly small sales and very large overhead charges. It may be merely keeping its doors and windows open, and not putting up its shutters, because it wants to show its goods in the local market so as not to allow that market to be exploited by rivals. Actually we all know of cases where the Indian agency is working directly at a loss, but the income-tax officials insist on levying a tax as though there were a profit, because they wish to tax proportionately to the whole world-wide business of the firm. Sir, that is another iniquitous case.

There are certain things which I should like to submit that the Central Board might do to help to relieve the anxieties and worries of business men. One is that the Central Board might reprint the Income-tax Manual at least once a year, at present it is so full of gummed slips that no one can find his way about it. Another thing they might do is that they should try to strengthen their local administration, and employ men locally who have some familiarity with commercial accounts. I know that members of the Central Board of Revenue tour throughout the provinces, and I think that is very helpful, but something more could surely be done to secure uniformity, and it might be possible that, either as a substitute for or in addition to touring, they could have a system of annual conferences at which these questions could be discussed and some system of uniformity secured.

But my main proposal is this, Sir,—that when a difficulty of this kind arises, instead of simply bringing in a little Bill to alter the income-tax law to suit themselves, and secure the interpretation of it in the way in which they want, always at the same time opening a very wide door for a whole set of fresh abuses to creep in, Government should, more often take the case to the Privy Council and find out exactly what the proper interpretation of the law is. We know that conflicts arise here between one province and another, because of different decisions in the High Courts. Whenever that happens, Government come forward with one of these Bills, of which we have had so many during recent years, always framing their Bill in the way which suits them best. (*An Honourable Member*: "Why don't you oppose them"?) We have opposed them all—and, as I say, opening a very wide door for a whole set of fresh difficulties. I suggest that the best way is not to draft new legislation on every occasion, but to take the original Bill to the Privy Council and to let us know what the rights of the citizens are in this matter.

The Honourable Sir Basil Blackett: Sir, the Honourable Member's motion is for a cut of Rs. 10 in the grant for the Central Board of Revenue, and his purpose in moving the cut is to secure greater uniformity, I think, in income-tax administration. From the illustrations which he gave and from the facts of the case, one would have thought that the best thing we would have to do in such circumstances would be not to interfere with the Grant for the Central Board of Revenue, because the reason for the existence of the Board is to assist in securing greater uniformity in the administration of income-tax, customs and other forms of revenue, and one of the illustrations that he gave ended with the intervention of the Central Board of Revenue to secure uniformity.

The Honourable Member made an interesting speech. There are something between 3 and 4 lakhs of assesses in the country, and it is not, I think, surprising that on occasions difficulties or complaints arise. Even an archangel would probably find trouble if he tried to collect income-tax in India. None the less we are fully alive to the importance of uniformity. The Central Board of Revenue are continually engaged in touring about the country with a view to try to increase uniformity. Whenever questions of want of uniformity come to the notice of the Central Board of Revenue, they are the first to act with a view to improving the situation.

Then the Honourable Member made one or two suggestions as regards methods of improvement, which we shall be happy to examine.

As regards the reprinting of the Manual every year or nearly every year, that will be done. The reason why it is not being done is that the

[Sir Basil Blackett.]

present Manual has lasted a little longer than others; a large number of copies were printed than were proved to be necessary and it is taking a little longer to work out the stock.

- As regards the suggestion of an annual conference, it already takes place. The member of the Central Board of Revenue meets the Collectors of Income-tax annually in a conference with a view to talking over their difficulties and arriving at methods of improvement, the purpose being of course to secure uniformity in the administration of the law throughout the country.

One of the difficulties which the Honourable Member also mentioned was that varying decisions had been given in the past by different High Courts. His complaint, I think, was that instead of going to the Privy Council the Government were in the habit of coming to this Assembly asking that the law might be amended so as to secure uniformity. I think he must have forgotten that it is only under a very recent Act, one of those Acts which he was referring to, an Act which was only recently passed by this House, that power to appeal to the Privy Council on questions of income-tax has been obtained. Before that there was no possibility of securing uniformity between one province and another if you had a contrary decision by two different High Courts. Now that we have that power naturally the appeal to the Privy Council in cases of real importance will be a means of helping us out of the difficulty.

At bottom of course the solution must be the one that I spoke of when we were dealing with the income-tax Grant two or three days ago, namely, that there should be more touch between the members of the public and the income-tax authorities. Mr. Moore asks who is to begin the co-operation. I can assure him that everybody connected with the Income-tax Department will be most anxious to start that co-operation and to meet more than half way all those who are willing to co-operate with them. But human nature is human nature, and that being so, as long as it is thought that by not co-operating with the income-tax authorities it will be possible to escape income-tax, I am afraid that non-co-operation will tend to be a little more popular than it should. But to my mind there are clear evidences that year by year things are improving in this matter. Perhaps one indication that I may give of improvement is that the number of circulars on particular points that have had to be issued year by year by the Central Board of Revenue has shown distinct signs of being reduced. That shows that points are being cleared up and that there are less outstanding points of difficulty. But generally speaking, I feel sure that both the public and the income-tax authorities are beginning to understand each other and the difficulties of hostilities and the advantages of co-operation. I do not know whether there are any other points which the Honourable Member raised which I have not dealt with, but his speech will be examined in the Department with a view to securing all the suggestions—and we naturally welcome all constructive suggestions for improving existing methods—and examining them with a view to adoption if they are likely to be useful.

Mr. Arthur Moore: I beg leave to withdraw my motion.

Mr. President: Is it the pleasure of the House that leave be given to withdraw the motion.

(Several Honourable Members objected.)

Mr. President: The question is:

"That the Demand under the head 'Central Board of Revenue' be reduced by Rs. 10."

The Assembly divided:

AYES—51.

Abdool Haroon, Haji.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. S. Sessa.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Chaman Lall, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. N. R. Chunder.
 Das, Mr. B.
 Das, Pandit N. Lakantha.
 Dutt, Mr. Amar Nath.
 Duta, Mr. Srish Chandra.
 Goswami, Mr. T. C.
 Gulab Singh, Sardar.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jogiah, Mr. Varahagiri Venkata.
 Kartar Singh, Sardar.
 Ke kar, Mr. N. C.
 Kidwai, Mr. Rafi Ahmad.
 Lahiri Chaudhury, Mr. Dharendra Kanta.
 Mehta, Mr. Jamnadas M.
 Misra, Pandit Dwarka Prasad.

Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Moore, Mr. Arthur.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Naidu, Mr. B. P.
 Nenru, Pandit Motilal.
 Neogy, Mr. K. C.
 Panuaya, Mr. Vinaya Sagar.
 Purookan, Sriji Tarun Ram.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Sariaza Hussain Khan, Khan Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. R. P.
 Sinha, Mr. Sidheswar.
 Tok Kyi, U.
 Yusuf Imam, Mr.

NOES—41.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur Nawabzada Sayid.
 Ayangar, Mr. V. K. Aravamudha.
 Bajpai, Mr. G. S.
 Blackett, The Honourable Sir Basil.
 Bray, Sir Denys.
 Chatterjee, Revd. J. C.
 Chatterji, Rai Bahadur B. M.
 Coatman, Mr. J.
 Cosgrave, Mr. W. A.
 Conner, Mr. T.
 Courtenay, Mr. R. H.
 Croser, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir Khan.
 Gidnev, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Irwin, Mr. C. J.

Joshi, Mr. N. M.
 Jowahir Singh, Sardar Bahadur Sardar.
 Kabul Singh Bahadur, Captain.
 Keane, Mr. M.
 Mitra, The Honourable Sir Bhupendra Nath.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rao, Mr. V. Pandurang.
 Row, Mr. K. Sanjiva.
 Roy, Mr. K. C.
 Sams, Mr. H. A.
 Sarda, Rai Sahib Harbilas.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Taylor, Mr. E. Gawan.
 Yekub, Maulvi Mohammad.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.

Non-appointment of Burmans to the Superior grades of the Departments under the control of the Board.

U. Tok Kyi (Burma: Non-European): Sir, I move:

"That the Demand under the head 'Central Board of Revenue' be reduced by one rupee."

Sir, the object of this motion is to bring to the notice of the Government the fact of the non-appointment of Burmans to the superior grades of the

- [U. Tok Kyi.]

Departments under the control of the Board. At present there are in Burma two Departments under the control of the Board, namely, the Customs Department and the Income-tax Department, and during the course of the year I think they are going to establish another Department, the Central Salt Department. Sir, in the Customs Department so far there is not a single Burman appointed to the superior grade. No Burman has ever held the post of a Collector of Customs or a Deputy Collector or Assistant Collector of Customs. And in the Income-tax Department there has been one Burman as an Assistant Commissioner of Income-tax stationed in Mandalay, but as I pointed out yesterday, this office has been abolished since; so there is not a single Burman now in the superior grade of the Income-tax Department; and I hope that when the Central Salt Department is established, the claims of Burmans will not be ignored in future. Sir, I hope it will not be seriously contended that there is not a suitable Burman to fill the posts in view of the fact that we have got Burman Judges of the High Court, Burman Executive Councillors and Burman Ministers.

With these few words, I commend my motion.

The Honourable Sir Basil Blckett: Sir, so far as the higher posts in the Customs Department are concerned, appointments are made after examination by the Public Service Commissioners, and I do not know that there is anything that I can say in regard to the presence or absence of Burmans with regard to those customs services. As regards the Income-tax Department, there is one Burman Assistant Commissioner out of 5, 20 income-tax officers out of 36, and 3 Assistant Income-tax officers out of 5. All appointments to the rank of Income-tax Officer are subject to the approval of the Local Government. I fancy that the position there may be said to be that so long as suitable Burmans are available, it is probable that they will prefer Burmans to non-Burmans. When one speaks of Burmans, one has to remember that quite a number of the Eurasian and Anglo-Indian officials of the Department were born and are domiciled in Burma. I do not know that I need take up the further time of the House, which is possibly not deeply interested in this kind of subject, as this is really one of the subjects that naturally come up on the Demands for Grants, but I do not think I have anything more that I can say beyond the fact that the general question of the employment of Burmans in the Departments under the control of the Government of India in Burma is one to which the Government of India as a whole do attach considerable importance, and they are always on the look out for seeing that proper opportunities may be given to Burmans to serve the Government of India there.

Mr. President: The question is:

"That the Demand under the head 'Central Board of Revenue' be reduced by one rupee."

The motion was negatived.

Mr. President: The question is:

"That a reduced sum not exceeding Rs. 1,92,990 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1929, in respect of the 'Central Board of Revenue'."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 14th March, 1928.