

Tuesday, 10th March, 1931

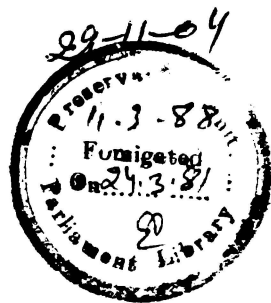
THE  
COUNCIL OF STATE DEBATES

VOLUME I, 1931

*(10th February to 2nd April, 1931)*

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FIRST SESSION  
OF THE  
THIRD COUNCIL OF STATE, 1931



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# COUNCIL OF STATE.

Tuesday, 10th March, 1931.

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

## MEMBER SWORN :

The Honourable Sir Phiroze Cursetji Sethna, Kt., O.B.E. (Bombay : Non-Muhammadan).

## QUESTIONS AND ANSWERS.

### NUMBER OF EXAMINATIONS HELD FOR THE RECRUITMENT OF THE MINISTERIAL ESTABLISHMENT OF THE GOVERNMENT OF INDIA SECRETARIAT.

**103. THE HONOURABLE RAJ BAHADUR PROMODE CHANDRA DUTT :**  
1. Will Government be pleased to state the number of examinations held by the Staff Selection Board and the Public Service Commission for the recruitment of the ministerial establishment of the Government of India Secretariat? What was the total number of candidates examined and how many of them were declared qualified?

2. How many candidates from Assam appeared at these examinations and how many of them were declared qualified? How many of those qualified candidates have been absorbed in permanent appointments?

3. If any of them have not been appointed permanently, will Government please state the date of their passing the examination and the period of service rendered by them under Government?

4. Will Government please refer to the reply given to starred question No. 882 of the 6th September, 1927, in the Legislative Assembly and state the reasons for their not being confirmed?

5. At the time of the last examination held by the Public Service Commission, were there centres at places other than Simla or Delhi? Do Government propose to have a centre at Shillong in future?

**THE HONOURABLE MR. H. W. EMERSON :** 1. Seven examinations have been held for recruitment to the clerical staff of the Government of India Secretariat offices. The number of candidates examined and the number declared qualified are as follows :

Year.	Candidates examined.	Candidates declared qualified.
1920	1,714	674
1922	1,340	504
1924	563	191
1925	813	177
1926	1,357	161
1929	462	88
1931	920	Results have not yet been announced.

The examinations of 1926 and 1931 were competitive.

2 and 3. The information is not readily available and as recruitment is not made on a provincial basis the collection of the information will serve no useful purpose.

4. I have no definite information about candidates from Assam. There may be some candidates who qualified in these examinations and have not yet been absorbed in permanent posts. This is chiefly due to the absence of permanent vacancies in the departments in which they are working.

5. The reply to the first part is in the affirmative. As to the second part centres are fixed at convenient places with reference to the number of candidates likely to appear at that centre and Government cannot undertake to hold the examination at a centre which does not fulfil this requirement.

**REPRESENTATION OF NATIVES OF ASSAM IN THE SERVICES UNDER THE GOVERNMENT OF INDIA.**

104. **THE HONOURABLE RAI BAHADUR PROMODE CHANDRA DUTT :**  
1. Does the Government of India still adhere to the policy laid down in a Resolution passed by the Legislative Assembly in March, 1923, and accepted by it that in making new recruitment for the services under its control, the Central Government should take steps to secure that the services are not unduly over-weighted with representatives of any one community or province and that as far as possible the claims of all communities and provinces are considered ?

2. Has the Government of India taken any steps to give effect to that policy ? If so, what steps have been taken to secure adequate representation of the different provinces ?

3. How many posts are held by the natives of Assam ?

**THE HONOURABLE MR. H. W. EMERSON :** 1 and 2. As was explained by Sir Malcolm Hailey in the course of the debate on the Resolution referred to, and as has been stated on several occasions in this and the other House, the policy of Government is to prevent the undue preponderance of any one class or community in the services. For this purpose a proportion of vacancies is reserved for appointment by nomination in order to redress communal inequalities. Government do not consider it practicable to adopt the same principle in order to redress inequalities of provincial representation.

3. I regret I have not the information the Honourable Member wants.

**INTRODUCTION OF REFORMS WITHIN THE EXISTING CONSTITUTION.**

105. **THE HONOURABLE RAI BAHADUR PROMODE CHANDRA DUTT :**  
(a) Has the Government of India taken any action on the Premier's declaration that pending the final decision as to the future constitutional changes, attempts should be made in the meantime to introduce such reforms into the existing constitution as may be found practicable ?

(b) Has the Government of India addressed the Provincial Governments on this subject ? If so, has it got their replies ?

(c) Will the Government of India be pleased to lay the replies of the Provincial Governments on the table of the House ?

(d) Does the Government of India propose to consult the Central Legislature before deciding on the changes it may propose to introduce and see fit to recommend to the Secretary of State ?



**THE HONOURABLE SIR BROJENDRA MITTER :** (a), (b), (c) and (d). I regret I am not in a position at the moment to make any statement in reply to the Honourable Member's question other than that the matter is under consideration.

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**MOTION FOR THE ELECTION OF A MEMBER TO THE GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION.**

**THE HONOURABLE SIR FRANK NOYCE** (Education, Health and Lands Secretary) : Sir, I move :

"That this Council do proceed to elect, in such manner as the Honourable the President may direct, one Member to sit on the Governing Body of the Indian Research Fund Association."

The motion was adopted.

**THE HONOURABLE THE PRESIDENT :** I direct that nominations shall be received up to the 16th of March and the election, if necessary, will be held on the 18th of March.

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**MOTION FOR THE ELECTION OF THREE MEMBERS TO THE STANDING COMMITTEE FOR ROADS.**

**THE HONOURABLE SIR JOSEPH BHORE** (Industries and Labour Member) : Sir, I move :

"That this Council do proceed to the election for the financial year 1931-32, in such method as may be approved by the Honourable the President, of three Members to serve on a Standing Committee for Roads which will be appointed by the Governor General in Council and the constitution and functions of which shall be as defined in the Resolution on Road Development as adopted by the Council of State on the 4th March, 1930."

The motion was adopted.

**THE HONOURABLE THE PRESIDENT :** In this case the nominations also will be receivable up to the 16th of March and the election will be held on the next official day which falls thereafter.

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**MOTION FOR THE ELECTION OF TWO NON-OFFICIAL MEMBERS TO THE STANDING COMMITTEE FOR THE DEPARTMENT OF COMMERCE.**

**THE HONOURABLE MR. J. A. WOODHEAD** (Commerce Secretary) : Sir, I move :

"That this Council do proceed to elect, in such manner as the Honourable the President may direct, two non-official Members to serve on the Standing Committee to advise on subjects in the Department of Commerce."

I should explain, Sir, that previously the Members of this Committee were nominated from panels elected by the two Chambers of the Legislature. On several occasions, however, non-official Members have expressed the view that it would be better to proceed by way of direct election than by the panel system. The rules have now been revised in accordance with this generally expressed desire, and my motion is in accordance with the revised rules.

The motion was adopted.

**THE HONOURABLE THE PRESIDENT :** Nominations will be received up to the 16th of March and the election, if necessary, will take place on the next official day. In all these three cases, I should add that the hour up to which nominations will be received will be 11 o'clock in the morning.

#### INDIAN PORTS (AMENDMENT) BILL.

**THE HONOURABLE MR. J. A. WOODHEAD (Commerce Secretary) :** Sir, I move that the Bill further to amend the Indian Ports Act, 1908, for a certain purpose, as passed by the Legislative Assembly, be taken into consideration.

The Bill, Sir, is intended to clear up a small point of interpretation. Article 6 (c) of the Draft Convention adopted at the General Conference of the International Labour Organisation of the League of Nations held at Washington in 1919 prohibits the employment of children under 12 years of age in the handling of goods at docks, quays and wharves. The Convention was ratified on behalf of India and a new section 6 (1A) was added in 1922 to the Indian Ports Act of 1908 in order to implement this provision of the Convention. The difficulty which has led to this Bill was brought to notice at the time when the Royal Commission on Labour visited Karachi. It was then found that children were employed on the loading and unloading of coal not from the quay side but to and from lighters on the water side of the ship and the question arose whether section 6 (1A) of the Indian Ports Act empowered the Local Government to frame a rule prohibiting the employment of children in that particular way. The matter was referred to the Government of India by the Government of Bombay and the conclusion we arrived at was that, as far as we could see, the Local Governments were empowered to frame a rule prohibiting the employment of children under 12 years of age in loading and unloading not only from the quay side but also from the water side of a ship. We were, however, advised that the interpretation of the section was not entirely free from doubt and it is for this reason it is now proposed to make a small amendment in the law so that the matter may be placed beyond doubt in the future. As the section stands at present, the prohibition applies to the employment of children at piers, jetties, landing places, wharves, quays, docks, warehouses and sheds. What the Bill proposes to do is to substitute for these words, the words "in any port subject to this Act". The section as amended will clearly cover the doubtful case to which I have referred and will make the position clear for the future.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**THE HONOURABLE MR. J. A. WOODHEAD :** Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

#### VIZAGAPATAM PORT BILL.

**THE HONOURABLE MR. J. A. WOODHEAD (Commerce Secretary) :** Sir, I move that the Bill to make special provision for the administration of the port of Vizagapatam, as passed by the Legislative Assembly, be taken into consideration.

Sir, this Bill is purely of a formal character. It proposes to transfer from the Local Government to the Government of India all the powers vested in the Local Government under the Indian Ports Act and the Madras Outports Landing and Shipping Fees Act in connection with the port of Vizagapatam with the exception of those powers which relate to port health administration. As Honourable Members are aware, the Government of India have undertaken the construction of a new harbour at Vizagapatam. Work on this new harbour commenced in 1925 and since then the position has been that, although the port is directly administered by the Government of India, the statutory authority under the two Acts I have mentioned vests in the Local Government of Madras. During the earlier stages of the construction the practical inconvenience arising out of the position as I have described it was not great. Construction, however, has now reached a more advanced stage, the new harbour was opened to lighter traffic in November last and is expected to be opened to ocean-going steamers towards the end of 1932. The revision of the schedules of shipping charges will have to be undertaken and revised rules for the port prepared, and it was thought not desirable that this should be done by the Local Government who merely act as the Agents of the Government of India. It is, I think, obviously desirable in the interests of administrative efficiency that the statutory authority for the sanction of these revised charges and rules should be vested in the Government of India which is directly responsible for the administration of the port. At the same time, it was decided not to interfere with the powers in regard to port health because the general question as to how port health administration should be conducted is still under the consideration of the Government of India. It is not likely that leaving these powers to the Local Government will cause any practical inconvenience. I think, Sir, this is all I have to say. The Bill, as I have explained, is purely of a formal character and all it proposes to do is to transfer the statutory authority as regards the port of Vizagapatam from the Local Government to the Government of India.

Sir, I move.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Schedule was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE MR. J. A. WOODHEAD : Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

#### INDIAN MERCHANT SHIPPING (AMENDMENT) BILL.

THE HONOURABLE MR. J. A. WOODHEAD (Commerce Secretary) : Sir, I move that the Bill further to amend the Indian Merchant Shipping Act, 1923, for certain purposes, as passed by the Legislative Assembly, be taken into consideration.

Sir, the Bill seeks to give effect, so far as legislation is necessary, to the decisions which the Government of India have arrived at regarding a series of International Labour Conventions and Recommendations. Sir, the Statement of Objects and Reasons and the Notes on Clauses explain the proposals

[Mr. J. A. Woodhead.]

at length and I will try to be as short as possible in dealing with the several Conventions and Recommendations covered by the Bill.

The first of the Conventions to which I would refer is that [fixing the minimum age for the admission of children to employment at sea. The main feature of this Convention is that it prohibits the employment of children under 14 years of age. When this Convention was placed before the Legislature some years ago, it was recommended that the Convention should be ratified subject to two reservations. The first reservation was to the effect that the Convention should not apply to home-trade ships of a burden not exceeding 300 tons. Under the Indian Merchant Shipping Act, agreements with seamen are not obligatory on this class of ships and in the absence of an agreement it was thought that it would not be possible to enforce the Convention. The other reservation has reference to the present practice according to which serangs and sukhanis are allowed to take their young sons and nephews with them on board ship. These boys serve on nominal wages and the service really amounts to a kind of apprenticeship. The practice is regarded by Indian seamen as a concession and a privilege and it was considered undesirable to interfere with it. As I have said, Sir, this Convention was placed before the Legislature some years ago. This was in the early days of the International Labour Organisation and before it was clearly understood in India that the Treaty of Versailles did not permit of ratification being subject to reservations. It has not been possible therefore to ratify the Convention on behalf of India, but it was thought desirable when a suitable opportunity occurred that the law in India should be brought into conformity with the provisions of the Convention subject to these two reservations. The Bill, Sir, seeks to give effect to this.

Of the next two draft Conventions, one deals with the fixing of the minimum age for the admission of young persons to employment as trimmers or stokers and the other with the compulsory medical examination of children and young persons employed at sea. These two Conventions have been ratified on behalf of India and up to the present have been enforced by executive instructions. It is now proposed to amend the law as regards these matters in order to regularise the position.

The next Convention to which I have to refer is that concerning Seamen's Articles of Agreement. This Convention was before the Legislature in 1927. The Convention is largely covered by the existing law and procedure in India and in certain respects in which it is not so covered at present, it will be covered by action under the existing law. Legislation is however necessary in order to give effect to Article 14. This particular Article requires that a seaman, on his discharge, shall have the right to receive a separate certificate of his conduct and character in addition to the certificate of discharge specifying the period of his service and the time and place of his discharge. Section 43 of the Indian Merchant Shipping Act provides for a certificate of discharge, but there is no provision in the Act relating to a certificate of conduct and character. Clause 5 of the Bill makes provision for this certificate of conduct and character. At present a seaman is provided with a "Continuous Discharge Certificate" on which is entered in addition to a continuous record of his services, remarks as to his conduct and character. If the Bill is passed into law, it will still be possible for the seaman, if he so desires, to have the remarks as regards his character and conduct entered on this continuous discharge certificate. If, on the other hand

he prefers it, he will be given a separate certificate as to his conduct and character.

The last draft Convention with which I have to deal is one concerning unemployment indemnity in case of the loss or foundering of the ship. This draft Convention was placed before the Legislature in 1921. It was recommended that it should not be ratified but that enquiries should be undertaken to ascertain whether the Indian Merchant Shipping Act should be amended so as to provide first that any Indian seaman whose service is terminated before the period contemplated in his agreement by reason of the wreck or loss of his ship, should be entitled to his wages until he is repatriated to the port of his departure from India, and secondly, that he should be paid compensation for the loss of his personal effects up to the limit of one month's wages. Enquiries have been made and Government are satisfied that this change in the law should be made. Clause 6 provides for this.

Finally, there is the Recommendation concerning the general principles for the inspection of the conditions of the work of seamen. The fundamental Article in this Recommendation is Article No. 3 which expresses the desirability that, as far as possible, all the authorities charged with the inspection of the work of seamen should be brought under a single control. This has been effected by the amendment of the Indian Merchant Shipping Act whereby the administration of the Indian Merchant Shipping law has been brought under the direct control of the Central Government. Honourable Members will doubtless remember that the Indian Merchant Shipping Act was amended for this purpose in 1928. Further examination has however shown that legislation is also necessary before we can fully comply with Articles 16 and 17. Clauses 7 and 8 of the Bill give effect to the requirements of these two Articles.

Sir, I move.

The motion was adopted.

Clauses 2, 3, 4 and 5 were added to the Bill.

Clauses 6, 7, 8 and 9 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**THE HONOURABLE MR. J. A. WOODHEAD :** Sir, I move that the Bill, as passed by the Legislative Assembly, be passed.

The motion was adopted.

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#### RESOLUTION *RE* RECOMMENDATIONS OF THE ROUND TABLE CONFERENCE.

**THE HONOURABLE SIR SANKARAN NAIR (Madras : Nominated Non-Official) :** Sir, I rise to move this Resolution :

“That this Council recommends the Governor General in Council to lay on the table of this Council all papers connected with the recommendations of the Round Table Conference.”

It is only a formal Resolution intended to enable the Members to state their views about the proceedings of the Round Table Conference. Sir, it would be impertinent on my part to say anything about the members of the

Sir, Sankaran Nair.]

British Delegation. They are men of world-wide reputation. Their speeches, whether they are Conservative, Liberal or Labour, are very practical. They show great sympathy with Indian aspirations and they show great insight into the Indian conditions. With these remarks, Sir, I pass on to the consideration of the main questions before us. It is not possible for me in the short time that is available to deal with the many questions dealt with by the Round Table Conference. I shall therefore confine myself to one or two of those which appear very important to me. I shall deal with the question of responsibility in the Central Government and in the Provinces, and I shall add a few words with reference to the Army. So far as the question of responsibility in the Central Government is concerned, that question was dealt with by a Committee especially appointed for that purpose, presided over by the Lord Chancellor. Those who want to refer to the Report itself will find it in paragraphs 8, 9 and 10 of the Report of that, the first Committee. They define the nature of the responsible government which they intend or which they hope to confer on India. That responsible government means that the Ministers to be appointed by the Viceroy or the Governor General must be Ministers who command "the confidence of the Legislature". That is a very important point. Next, they are to be appointed for that purpose in this way, in the manner in which they are appointed in England and in the Colonies, that is to say, one Minister is to be asked to form a government and that Minister is "to submit a list of his proposed colleagues" who will be appointed—mark that, it is a very important distinction. He has to submit the names and those men are to be appointed. He is not to submit the names for the approval of the Viceroy. On that depends the whole difference between a Government which is responsible and a Government which is not responsible. Having appointed a Ministry which is responsible, they go on to add that that Ministry shall remain in power "only so long as they retain that confidence". If they do not retain that confidence or if they lose that confidence, out they go; their responsibility is to be collective. All of them are to be dismissed together or all of them are to remain together. That is the definition. That is what is said to be responsible Government that is to be given to us. Now, having explained that, I cannot help reading to you the words of the Lord Chancellor with reference to these two paragraphs. Those words will be found on page 224 of the second part of the proceedings. The words are these :

"That, gentlemen, is the message that I would have you take back to India. It was worth your while to come here for it. . . . Do not trample on it. Give it a chance. Take it back to India and transplant it in the kindly Indian soil. Continue to watch it and to tend its development. At times it will want training, at times it will even want pruning, but as to its future I have no misgivings. India will see it grow into a great tree under whose spreading and protecting branches her sons and daughters will find that rest and that shelter which they so sorely need. It is this that will bring you peace at the last."

That is a noble message, a message from the Mother of Parliaments to the youngest of her daughters, and it is one which ought to be remembered by us for ever; it ought to be in fact written in letters of gold on the walls of this Chamber and of the Legislative Assembly for those who come after us to see and to remember for all time. Now, having read that message, the question at once arises whether those to whom it was addressed, that is the British Indian Delegation, have brought us that message or whether they have brought it to us mangled. It may be a bold statement to make, but I cannot help thinking that the message of the Lord Chancellor and the recommendations of his Committee have been practically whittled down by the

delegates we sent over there. That can be fully understood and realised only when you refer to the Reports of the other Committees, and especially to the Report of the Minorities or the third Committee, to which I now propose to refer. The question at once arises if that is so, if the Report of the Minorities Committee is so opposed to the Report of this first Committee, how was it that nobody there took any notice of it and why was it that no attention was drawn to it in the discussion? The reason is this. You will find that when the Report of the first Committee was discussed by the General Conference, these two sections were not discussed at all. You will find that in the Report, Volume II, page 256. They are passed over without any discussion, because it was discussed on the 15th. That was finished on that day. The Report of the Minorities Committee was taken up on the 16th and the Prime Minister says at page 20, when the Report was discussed, that they continued considering the Report of the Minorities Committee till 11 o'clock that morning, so that it was not printed and the Report of the Minorities Committee was not before the first Committee at all. That apparently accounts for it. The common members of the two Committees might have discussed it; there were three members of the two committees, Sir Muhammad Shafi, Sir Saiyed Sultan Ahmed and Mr. Ujjal Singh. You will find that the two Muhammadan delegates, Sir Muhammad Shafi and Mr. Jinnah, would not agree to frame any constitution or responsible government of the Lord Chancellor's Committee unless the Minorities Committee's Report was accepted. I draw your attention to that Report of the third Committee, which is printed at page 47. I will first draw attention to this; that the Prime Minister says at page 49:

"It was therefore plain, that, failing an agreement, separate electorates with all their drawbacks and difficulties, would have to be retained as the basis of the electoral arrangements under the new constitution"

I do not propose to argue any of those questions now; this is not the proper place to argue. I simply want to draw attention to that. Then the material part is this. In paragraph 12 you will find this:

"There was general agreement with the recommendation of Sub-Committee No. I<sup>1</sup>  
\* \* \* Muhammadans should be represented on the Federal Executive \* \* \*  
(Dr. Ambedkar and Sardar Ujjal Singh would add the words 'and other important minorities' after the word 'Muhammadans'.)"

That is in the Executive Council. Now, I submit that this is opposed to the recommendations of the first Committee in almost every particular. First, instead of the Chief Minister selecting his colleagues—I assume that the majority community is not the Muhammadan community and that the Chief Minister will belong to the majority community, that is to the non-Muhammadan community—the appointment of Muhammadan and other minority members is taken out of his hands, and they have to be appointed by the Viceroy. It contradicts the Lord Chancellor's Report in this, that the Chief Minister is to select the other Ministers. Then again it contradicts the recommendation in the first Report that the Ministers should enjoy the confidence of the Council, because obviously a representative of the minority community cannot enjoy the confidence of the majority of the Council. Here again, I do not argue the question whether it is right or wrong, because in the existing conditions of India it may be absolutely necessary, but I want to insist upon this that it is not responsible government as defined by the Lord Chancellor's Committee. Then, again, there cannot be collective responsibility which, as pointed out, is essential because the minority community member represents a certain section and the other represents the majority—a different section; collective responsibility then is out of the question.

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Therefore in every respect you depart from the recommendations of the first Committee. Then again, assuming for instance that all the Ministers agree to act together, that is to say, the representatives of the majority community and the representatives of the minority community agree together. The result of that would be both of them would be opposed to the majority of the Legislative Council. In that sense, therefore, they will not enjoy the confidence of the Council. Supposing they do not agree, then there will be permanent discord, in the Executive Council, as the Government of India have pointed out in connection with another matter. One can easily realise the consequence of that. There will be a weak Executive Council unfit to govern. Here again, I must warn you, I am not saying whether I support it or not ; I am only telling you the consequences of this. As the evidence showed that the Councils are and will be divided on communal lines, and both the Reports proceeded on that basis the Government may feel that they are bound to have communalism in the Executive Council, supported by separate electorates. But the result of that is that you cannot have responsible government. Either drop responsible government and have communalism in the Executive Council, if you think that is necessary, or drop communalism in the Executive Council and have responsible government. We, the Members of the Central Committee recognised it, and the majority of the Members of the Central Committee said : " We would have responsible government and we will drop communalism ; and therefore we say, have joint electorates and not communal electorates." That is the opinion of the majority. The minority, two Muhammadan members and Sir Arthur Froom, took the other view. Two Muhammadan members and the English member of the Central Committee said frankly and openly (you will find that in the report) : " We do not want responsibility in the Central Government. We would be quite satisfied to leave everything as it is and everything in the hands of the Viceroy if there is not to be communal representation." I want to draw the attention of the Council to the fact that you cannot have both. You must realise that, you must suffer the consequences of that. Either go on with communalism in the Executive Government and drop responsible government, or *vice versa*. Let us have a candid statement. Have no responsible government ; you drop it ; or, on the other hand, if you are going to have responsible government then be straightforward and say, " Well, we will not have communalism." But do not try to combine the two things which do not combine, and bring all this trouble afterwards. You have to remember this that the Prime Minister recognised this. He says on page 77 of this Report :

" We have this problem in front of us too ; in executives, in particular, there must be unified responsibility. I am not going to push that observation to any more pointed conclusion. . . . ."

Of course, seeing the position he occupies, he could not do more. He added :

" but the great task in forming an Executive is not so much to give it responsibility (which is the peculiar characteristic of Legislatures), but it is to secure for the Executive the confidence of the Legislature, together with its own united working in policy".

There can be no doubt about it that he wants a united Executive ; then alone he says there can be responsibility. I will have a few more observations to make which will be common to this and to Provincial Governments.

I now come to Provincial Governments. With regard to the recommendations made about the Provincial Governments we must reject them altogether ; we cannot accept them for a moment ; they are not worthy of



our acceptance. With regard to the appointment of Ministers this is what the Sub-Committee say in their Report, on page 41 :

“The Sub-Committee is of opinion that in the discharge of that function the Governor should ordinarily summon the member possessing the largest following in the Legislature, and invite him to select the Ministers and submit their names.”

Now, mark the words ; they are most important—“for approval”.

In the case of this Report, that is, the Provincial Constitution Report, the names are to be submitted to him for *approval*. Those alone are to be appointed whom the Governor wants to be appointed. If the Governor says so and so is not to be appointed, then he is not to be appointed. That is vital ; it is not a mere formal provision. Students of constitutional history know that the one important question which distinguishes a responsible government from any other government is this : the appointment of the Ministry is not to rest with the Crown. The man who enjoys the largest confidence of the Legislature is to be called on to form the Cabinet and he has to submit the other names for appointment. In this Report, we see that the names are to be submitted for *approval* of the Governor. That marks the difference between the Central Committee and the Simon Reports. The words used by the Lord Chancellor's Committee agree with those used by the Central Committee. We the Central Committee, said that, as in the case of Commonwealth and the Dominions, this should be the practice that should be adopted. The Simon Commission did not accept it ; the Government of India did not accept it. They said, for reasons which they explained in their report, that there can be nothing like a Chief Minister and the appointment should be in the hands of the Governor. But, as I said already, the Central Committee took the other view, and the Lord Chancellor's Committee—that is the first Committee—have taken the same view too. The Lord Chancellor in his report refers to the Canadian Acts, the African Acts, the Australian Acts, to show that that is the policy. The experience all the world over of representative constitutions is in that way, that unless that procedure is adopted, they will not work. It worked well in England and the Colonies. It did not work well in France and in Spain. The other practice was followed and it failed there. In India the experience is just the same. Lord Willingdon in Madras construed it as allowing him to follow the practice in England and in the Colonies ; that is to say, he called upon a man as Chief Minister and asked him to submit names and appointed them. The Governors in the other provinces did not do that, in particular in Bombay, and in Bengal too, I believe. The question came up for discussion before the Reforms Committee of 1924. What has been the result ? Madras is the province which has worked the Reforms better than all the other provinces in India, and I maintain that this is due to the fact that they followed the practice in England and the Colonies. With all that experience, the Madras Government in the latest report they have submitted on the Simon Commission's Report, have adhered to that view. They say that they want a Chief Minister and they want this practice to be followed. I submit, therefore, that unless you do that, you cannot have responsible Government.

Something worse than that follows on the next page. In paragraph (c) on page 42 of this Report it is said that the Governor is to make the appointments for the minority representation. I object to it for the same reasons for which I object to it in the Central Government. But there is one word that may get rid of a good deal of mischief. The word is “important”. “Important minority interests should be adequately recognised.” If that word means, as I understand it to mean, “important in the sense of the

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population” then I do not think there is much harm in it, because in this sense it means that in the North-West Frontier Province, and in Sind, where the Muhammadan majority is very great and the Hindu community is negligible in numbers, there need not be a Hindu in the Executive Council. Similarly, in Madras and in Bombay, where the Hindu majority is predominant and the Muhammadan community is negligible, a Muhammadan need not be appointed. In the Punjab and in Bengal, where the minority communities are important, the Governor should have the power of appointment. So construed I would not have great objection to it, because that may be necessary.

There is one other matter to which I wish to refer. The second Report gives power to the Governor for “the protection of the minorities and for the safeguarding of the safety and tranquillity of the province”. Extraordinary powers are given. Now, if you construe minorities to include all the various castes in India, every one of them will be a minority, and the result will be that the Governor will be entitled to interfere with everything. Let us see the history of this matter. The Central Committee recommended that the Governor should have extraordinary powers for the safety and tranquillity of the province. The Simon Commission went a step further. They said that this power should be given not only for the safety and tranquillity of the province but also for the protection of minorities. Where they suffer on account of their position being prejudiced or their legal rights not being recognised, there could be no strong objection to this except on the ground that that would be interfering with responsible Government. But take the Report of this Committee. They say that the Governor shall have “suitable powers in regard to legislation and finance”. The words are not limited, as we say, for equalising, for placing them on terms of equality. The words are “for legislation and finance”. It practically means that under this Report they have no provincial autonomy in any kind of form. If there is one thing on which there is no difference of opinion amongst the people of this country—there might be differences as regards reforms in the Central Government—it is that, so far as the provinces are concerned, there ought to be absolute provincial autonomy. I say that so far as this Report is concerned, there is nothing like that contemplated.

I will now say a few words about the Army. So far as the Army is concerned, the recommendation is simple. It is on page 62. The recommendation is, “Have a Sandhurst College and Indianisation of the Army as early as you can.” It is said: “All are agreed that the Army should be efficient and it should not suffer in efficiency at all.” Now, what efficiency is was explained by His Excellency the Commander-in-Chief the other day in this Council. He said:

“I cannot impress upon you sufficiently the immense importance of this. If men who fight have not complete confidence in the men who lead them and in the men who are on each side of them, that delicate machine fails, and failure in war is very much more worse than failure in political or administrative matters.”

He did not choose to explain—perhaps it was not politic for a man in his position to explain—what the implications of that statement are. Now, I have had the good fortune of having discussed this very question with two of his predecessors, Sir Beauchamp Duff and Sir Charles Munro when we had to write the Despatch of 1917 which led to the opening of Sandhurst to Indian cadets. May I tell you what they said then? In Indianising the Army, the Gurkhas, for instance, will not allow themselves to be commanded by any

other, if he is not an Englishman, than a Gurkha, so that if you go on nationalising the Gurkha army, the result will be that at the end of the time, when you have all the officers as Indians, you will have a mercenary army officered by mercenary officers. We find the same argument as regards the Sikhs. They say they should have Sikhs as officers. The same applies to the Punjab Moslems. It was voiced even a few days ago that the Punjabi Moslem army does not want to be officered by other than Panjabi Moslems. The same is the case with the depressed classes. It was at the time when we were discussing the question whether the depressed classes can be enrolled in the Army, that an unfortunate incident happened in the Punjab where a Dogra directed a man of superior caste, who was under him, to do some menial service and there was what was called a butchery there. That was the subject of questions in this House. You have got all these difficulties to face and in addition the Government of India have brought forward a new difficulty. You will find that on page 139 of the Government of India Report. They say there that when you Indianise the Army, you cannot neglect the people who have already been there in the Army, and who desire themselves or their sons to be appointed as officers. In addition to all this there is this one particular fact which cannot be got over. That fact is that the military men do not believe that you can form an Indian Army which can take up the functions which are now performed by the English Army, and certainly not with all these depressed classes who should be taken into the Army. We had it in evidence before the Central Committee and the Simon Commission—evidence which has not been printed—that you cannot form a national Army. And now we have that grave warning of His Excellency the Commander-in-Chief. His opinion was this :

12 NOON. " I cannot impress upon you sufficiently the immense importance of the deliberations of the Committee. It largely depends on the advice they give Government whether the new Indianised Army will be a success or not."

Now, cannot you imagine what his own opinion is. You cannot expect a national Army, whatever you may say, in a reasonable time. So we are faced with this, Englishmen say that we cannot have a national Army to serve our purpose. We are as obstinate in our faith that we can have a national Army which will serve our purpose. Well, what is the plain inference, what is it that should be done ? Leave the present Imperial Army alone ; do not interfere with it in any form whatever ; leave it to the military men to Indianise it if they can, subject to the question of efficiency ; do not touch it ; but allow Indians to form their own Army ? If they cannot find the men to form an army, it is their business ; the Imperial Army will then continue to function. The Central Committee had evidence before them, and this Round Table Conference apparently had not, that certain provinces could raise their armies. The Government of India make a slight reference to this question in their Despatch. You will find it at page 145 of their Report. But they do not state correctly our own proposals. What they say is, " We will hand over a portion of the Army to the provinces to constitute their Army ". That is not our suggestion. Our suggestion was, leave it to them to raise their armies ; only provide opportunities for them to show what they are capable of. The Government of India brush it aside. They simply say it is subject to the same objections as are advanced as regards a Dominion Army. What those objections are I have not found out, and I must therefore leave it to you to find out those objections. I would ask the Council to consider whether it is worth while to trouble the Military Department or the Government of India about Indianising the Army to the extent that we

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want ; whether it would not be wiser on our part to leave the Imperial Army alone, but to allow us to form our Army ourselves. It is only Indian brains that can create an Indian Army. It will call forth Indian patriotism ; it will call forth Indian efforts and endeavours, and I feel confident, as I believe all Indians feel confident, that we can create an Army that can take the place of any other Army. The military men do not believe that, but we believe it ; and therefore leave us alone to work it out, and leave them to Indianise the Army in any way they can.

THE HONOURABLE SIR C. P. RAMASWAMI AYYAR (Madras : Non-Muhammadian) : Mr. President, I must say that the prevalent impression that I gained after hearing the speech delivered by my respected friend the Honourable Sir Sankaran Nair was one of unredeemed gloom. If I really believed that the efforts made at the Round Table Conference, which, according to my view are only the beginning of the work that is before this country—if I believed that those efforts led to nothing more than the impasse which has been pictured for us by Sir Sankaran Nair, I would say it is much better that the Conference were not held. I understand from an ejaculation made by my Honourable friend to my right that he is willing to accede to the proposition that the Conference need not have been held. If I stand up in my place to-day and wish to address you, Mr. President, for a few moments, it is because I hold exactly the contrary view. It is because I am sure that the Round Table Conference marks a new departure in the history of India and the history of the mutual relations between the two races, the British and the Indian, that I am here in my place to speak next after the Honourable Member and to endeavour to correct the impression sought to be created by him. Let me first bring to the notice of this House one or two basic facts. It cannot be alleged that Mahatma Gandhi and the Working Committee of the Congress are in love either with the Round Table Conference *per se* or with the political programmes of the men who composed the Round Table Conference, generally speaking. But if one inference, one legitimate inference, can be drawn from the happenings of the last few days, is it not this, namely, that the peace pact connotes that Mahatma Gandhi and his colleagues are convinced that something has been done which they can implement or supplement, but that something tangible has been effected ? Does not the peace which happily reigns to-day over the country mean that the men who were hungering for the realisation of certain ideals but were not finding those ideals coming near them realize that a step forward has been taken in London towards that realisation ? But I shall not deal with generalities. Let me now invite the attention of the House to a very notable speech delivered in the House of Commons by a great friend of India, Mr. Isaac Foot, a member of the Liberal Delegation to the Round Table Conference. He invited every one “ not to measure the work until the day is out and the labour done ; then, bring your gauges ”. My first exhortation to my countrymen would be to judge of the work of the Round Table Conference as no watertight affair, no final scheme already brought into existence, but as the precursor or beginning of self-government. The question is, is the reform proceeding on the right lines and in the right direction ? The task that has to be done in this country and in England will be to take that work further, to supplement it and to make a composite whole. But to judge of the whole scheme by isolated sentences in the Report of the Round Table Conference or in the statements of various delegates in the House of Commons or in the Conference itself or to treat specific recommendations as if they were a complete picture will not be the

right procedure. Let me invite your attention, Mr. President, to the numerous passages in which Mr. Ramsay Macdonald, Lord Sankey, Mr. Benn and Mr. Henderson have said that what has been started in London is only the beginning of the work of federation and until the complete picture is drawn you cannot criticise the details.

Now, this having been said, let me indicate exactly what was sought to be done in the various Committees of the Conference. My friend was inclined to quarrel with what he deemed to be the inconsistency between the Report of the Minorities Committee and the Report of the Federal Structure Committee. Let this underlying circumstance be remembered in these criticisms, namely, that unless and until a satisfactory and adequate solution of the minorities problem is achieved in India by the common efforts of every patriotic citizen, we are not going to proceed a step further with reference either to Federal structure or anything else. No scheme of Dominion Government is possible until the minorities are satisfied with the scheme evolved finally. (Hear, hear.) That is clear. And in speaking of these minorities, I am not referring only to the two great communities which are usually styled the majority and the minority communities. I refer not only to the Hindu community and to the Mussalman community, but to the great group of the depressed classes, and to the various other communities, the Sikhs, Christians, Europeans, Anglo-Indians and the others who have put forward their claims and insisted upon a recognition of their due place in the Indian polity. Unless all these minorities joyfully and willingly shoulder the burden of a common responsibility and agree to a fully responsible executive subject to the will of a sovereign and representative Legislature, this problem of Dominion Status or responsible government is not going to be solved. The inconsistency such as it was, between the Reports of the first Committee and the minorities Committee arose because notwithstanding the efforts of all of us there that problem of minorities was not solved in London. There is no gainsaying that ; the minorities problem still remains to be solved, and until it is solved, each minority would be putting forward all their claims and advocating the individual and specific ideals of the various communities ; unless those ideals are transmuted and integrated into a common ideal, you cannot have a common executive and a really one-pointed Legislature. That is clear. It was because in London the Minorities Committee had not come to a definite decision that the Minorities Committee had to speak in two voices, had to speak with some inconsistency. In one breath all the members claimed self-government but the communal claim was emphasised as the condition precedent. It is no secret when I say that the Minorities Committee and the Conference itself came very near agreement on the Hindu-Muslim question. We came very near agreement in Chequers and Downing Street, but something or other happened, something was wanting and the agreement was not completed, and implemented ; and it is for that reason, Mr. President, that I am one of those who welcome the participation in the coming deliberations of the Conference of the most numerous and the best organised political party in this country, which is composed both of Hindus and Muhammadans and other communities, namely, the National Congress to which I do not now belong, but whose importance, organisation, enthusiasm and patriotism I am the first to admit. I lay special emphasis on this aspect of the question for this reason, that the problem of the minorities and the solution of the minorities question are to my mind a matter which can be dealt with not so much by the elderly and the middle-aged, but by the young, the inheritors of the future, the idealists who are impatient of small calculations of gain and loss here or there and it is that political party and those groups who have the enthusiasm and

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the idealism of the young harnessed to their programme, it is they who will help most satisfactorily and adequately in solving this communal problem. It is because I believe in the Hindu young men, the Mussalman young men, the Sikh young men, and the young men of the depressed classes coming together and their realising that in these divisions there is danger, that in unity there is safety and glory, that I confidently expect this problem to be solved and it is therefore I ask friends who are apt to be too impatient of the inconclusive deliberations or conclusions of the Minorities Committee to hold their hand for a while, to keep in suspense their judgment, until a last and mighty effort is made to solve this problem. After all, Mr. President, what happened in London? It is again an open secret that a dispute about two seats here, or one seat there, stopped the further progress of the negotiations. Is it too much to ask that all these differences will be composed and that the minorities problem will be satisfactorily solved with the help not only of the Congress and the Muslim organisations but of all well-wishers of the country? One of the most useful results of the London Conference was the realisation of the actual difficulties. This is the first step to surmount them.

Let me now go over the points made by my friend. He referred to the Federal Structure Committee and stated that it started with three propositions about responsible government which have been really whittled down by the other Committees and therefore its work was fragmentary. Now, let this be remembered. Before we went into the Round Table Conference, difficulties were postulated as obstacles more or less permanent in their character. What were those difficulties? It was stated that Dominion Status for India was irretrievably, inextricably, hopelessly, bound up with the problem of the Princes. It was said that, so long as we have a large portion of India governed on undemocratic principles by persons who are more or less autocratic, we cannot have any real responsibility or any common system of government, with regard to British India and the Indian States. We found very early that the Princes were willing to come into federation and their contribution to the success of the Conference was striking. That is one contribution which was made by Lord Sankey's Committee to the problem of India's future. It is noteworthy, Mr. President, that the Princes definitely said that they were willing to federate with a self-governing British India. That means that notwithstanding their jealously guarding their own ancient prerogatives and rights, not only were they willing to come into a common system of government, but they were willing to federate with a democratic and self-governing British India. I go further. They also said this, that if their own representatives were in the Central Cabinet and the Executive was thrown out on a vote of no confidence, their representative would also resign along with the representatives of British India. That community of ideal and outlook brought self-government very near to us. Next it used to be stated that the depressed classes would never conceive of the possibility of a Government which would really be in the long run the Government of the haves over the have-nots, the rule of the privileged classes over the down-trodden. The representative of the depressed classes said that their difficulties and dangers were theirs and those of the higher classes to settle *inter se*, but they were perfectly willing to consent to a common system of self-government as they stood to gain and not lose by a change from the present system. So another difficulty vanished. We thus found that step by step the objections as to the Princes vanished; the objection as to the depressed classes vanished, the Muslims were also with us on the main topic, and we found a unity of demand with regard to what is called self-government. And what was that demand? That

demand was responsibility of the common Central Executive to a representative Legislature. With regard to that, certain observations fell from my Honourable friend with which I shall immediately deal. He said that so long as we are going to have a communal Executive, there would be no unity. Now, let us proceed about the consideration of the problem in this manner. A person who leads the majority party in the Legislature is not necessarily the person who leads a Hindu party in the Legislature. Once you grant that in the Legislature of the immediate future under all circumstances and inevitably the majority party is going to be the Hindu party, the next biggest party is going to be the Mussalman party, the third biggest party is going to be the Sikh party, and so on, and that therefore according to the imagined scheme there will have to be necessarily a coalition between a Hindu Minister drawn from one party and a Muhammadan Minister drawn from another party and a Sikh Minister from a third party, you absolutely negative the whole theory of responsible government. It is in the hope, in the fervent hope and expectation, that the parties of the future will not be composed purely of members of particular communities, but that these party divisions will cut straight across communal divisions, that party A will be composed of Hindus, Muhammadans, Depressed Classes, etc., party B will be similarly composed of Hindus, Muhammadans, Sikhs, Depressed Classes, Europeans and Anglo-Indians, that these party divisions will arise on political issues and not purely on a communal footing that the whole of the scheme is framed. Indeed in the actual working of the Legislature this is our actual experience. And, indeed, turning to the Chamber where there are organised parties, that is, in the Legislative Assembly to-day, do we not find that even under the present imperfect system we are evolving parties which are not purely communal in character? Is it not a fact that during all these years the Legislative Assembly parties have not been communal parties but parties composed of members of more than one community? And it seems to me that once you concede that or contemplate this state of things you come to the next step. A man who represents or leads the largest party in the House will no doubt form his Ministry from amongst the members of his party. He will necessarily—and that is the only meaning of the sentence in the Report and nothing more—he will necessarily, in view of the circumstance that important communities have got their own interests and their own ideals and in order to secure the safety and stability of his Ministry, see to it that all important and numerous large separate interests are represented in the Cabinet. That is done in every self-governing country in the world where there may be no Hindu-Muslim dispute. Representatives of important interests get a place in the Cabinet of every self-governing country in the world, on a different basis no doubt, and not on a communal basis, and he would be a very foolish head of a Cabinet who would not summon to his aid a Muhammadan or a Sikh—who had a large following and whose adhesion would strengthen his own party and his own position in the House. It is therefore not a just or legitimate criticism, I submit, to say of the Sankey Report or of the Minority Report and the Sankey Report taken together, that it departs from the principle of democracy. Let me refer to another criticism. My friend referred to page 16 of the Report of the Sankey Committee wherein it is stated that the Ministers will be appointed by the Governor General and

“The Governor General’s Instrument of Instructions will then direct him to appoint as his Ministers those persons who command the confidence of the Legislature, and the Governor General, in complying with this direction will, of course, follow the convention firmly established in constitutional practice throughout the British Commonwealth of inviting one Minister to form a Government and requesting him to submit a list of his proposed colleagues.”

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Now, when the Sankey Committee Report says this and when the Minorities Committee Report says that in the Instrument of Instructions care must be taken to see that minority communities should be represented in the Cabinet, I submit there is no real fundamental divergence of ideas. The Minorities Committee naturally was anxious to put forward its own point of view at the stage when it formulated its position which was not inconsistent with responsible government, until a communal settlement takes place this is bound to happen. But it must not be forgotten in the whole of this discussion that it was His Highness the Aga Khan who from his place in the Round Table Conference said :

“ We shall adjust these matters ourselves with regard to the Communal adjustments and formation of ministries and other things and that all of us are willing and anxious to get responsibility at the centre;”

and responsibility at the centre, according to him, undoubtedly meant responsibility of the Legislature to the Executive. Sir Muhammad Shafi, a very distinguished representative of the minority community, made it perfectly clear at the same time in the Round Table Conference that he was also a great adherent of the principle of responsibility of the Executive chosen on the same principles as all Cabinets in self-governing countries. Now, the only way of reconciling these sentiments with the sentiment expressed by the Minorities Committee is to realise that at the time of the formulation of the Minorities Committee Report the minority problem had not been settled. The Minorities Committee therefore was anxious to put forward its particular claims and was anxious that that point of view should not be obscured or lost sight of. But at the same time it must not be forgotten that the members of the Minorities Committee and the Members of the Sankey Committee met together at the Plenary Session, and it was in that Plenary Session that those sentiments were expressed which are consistent only with a unitary Executive responsible to a sovereign Legislature.

Now, therefore, my submission to you, Mr. President, is that when the Sankey Committee Report speaks of a Cabinet it speaks of a Cabinet as ordinarily understood in self-governing countries, namely, a Minister who has as his colleagues men in whom he has confidence but whom he chooses on the principle dictated by party interests, on the principle that he has with him people of influence and of status who will bring strength and not weakness to his Government. He, therefore, in order to select his colleagues, will see that justice is done to all the communities. And thus there is no question of getting away from the principle of collective responsibility. Once you bring these people together on the choice of the head of the Cabinet, once it is summoned together, the Cabinet stands or falls according as the policy of the Cabinet is approved of or disapproved of by the House. So you have the principle of collective responsibility established, and it is a great thing indeed that to that principle of collective responsibility it is not only British India that has adhered but the Princes as well.

Then my friend asked why nobody took notice of the difference between the Minorities Committee's outlook or point of view and the Sankey Committee's point of view as to the formation of the Ministry. The reason is simple. It was that at the time when the Minorities Committee's Report came up before the Plenary Session the minority question had not been settled and there was no point in accentuating divergence which time and negotiation may eliminate.



My learned friend also referred to separate electorates. I do not wish to pursue that subject. But it is perfectly true that one group took up the idea of separate electorates, namely, the group of Muhammadans represented at the Round Table Conference. That question will have to be decided after very much more careful deliberations in this country, and in the decision of that question it must be remembered that the Depressed Classes also took up a perfectly understandable position which was shared by the Sikhs. They said, "If the Muhammadans want separate electorates we also want them because we are as much in a separate category". That question may have to be considered most carefully. No doubt it has been urged that if we ask for so many separate electorates we shall get further and further away from the pure and simple democratic idea which involves a national register and a national polling. Undoubtedly it is one of those difficulties which will have to be faced in this country and in England and on its solution a great deal depends. But I for one am not deterred from an agreed solution by the mere circumstance of theoretical anomalies. If the Communities come together determined to have a responsible government, which can only mean a joint Cabinet responsible to the Legislature as a whole, and if they think that they can devise it on the basis of one system or another, it is for them to do so. Speaking for myself, I do not see how this problem can be solved without joint electorates. That is my own personal view. I hold that any sacrifice, any concession, can be made to the minority communities so as to make their position clear by way of reservation of seats and every other reasonable guarantee so as to keep their fears and apprehensions from troubling them, and any concession that is made is worth making even if that means the minimising of the political power of the majority community provided a national register and national polling take place and compartmental political education and action are avoided. That is my view, but all views put forward by protagonists who hold different opinions must be harmonised and a compromise arrived at. Even though the position is still uncertain, I shall not despair of my country or the possibility of democracy in the country merely because of the existence of the dispute, for I hold that that dispute is bound to solve itself when people face the problem fairly and squarely and get rid of temporary suspicions.

My Honourable friend also drew pointed attention to the difference between the Cabinet as constituted in the Provincial Government and the Central Cabinet. I think the difference of language used by the two respective Committees—I am speaking with all respect—is merely due to the fact that the men who drafted the two reports are different. The "approval" of the Governor where the head of a Cabinet suggests the names of the Ministers must necessarily be formal, because if the Governor insists upon A or B or C being appointed against the Prime Minister's will as the colleague of the head of the Cabinet, then the obvious course for the head of the Cabinet is to say that he could not work with people in whom he had no confidence, and on the Governor would then be thrown the responsibility of forming another Cabinet, and any Governor would shrink from taking that responsibility upon himself and facing an infuriated Legislature and electorate. Moreover, with regard to the powers of the Governor, my Honourable friend was, I am afraid, a little too apprehensive, because it has all along been distinctly understood, and I for one would be the foremost to insist on the condition that according to the scheme propounded at the Round Table Conference, neither His Excellency the Governor General nor His Excellency the Governor are intended to get any residuary or extraordinary powers save those necessary to prevent a breakdown of the administration or an abuse of or fraud on the exercise of the powers conferred on the Legislatures and Cabinets. These extraordinary powers are

[Sir C. P. Ramaswamy Ayyar.]

not supposed to be the normal processes of government but powers to guard against abnormalities and extraordinary situations. It is in that spirit that the Round Table Conference worked, and if anything is to be made clear in order to make that abundantly manifest, I take it that in the subsequent stages of the labours of the Round Table Conference that will be done.

Then my Honourable friend spoke of the Army. With regard to this I may say that with very much of what he said I am in total agreement, namely, that there is no use of a system of reform which does not take resolutely and strenuously on hand the Indianization of the Army. The nationalisation of the Army and of Defence in general cannot take place without a very definite programme of Indianisation to be set on foot immediately. That point of view was not ignored by the Committee as will be clear from page 62, indicating Mr. Jinnah's dissent and his desire to have a clear indication of the pace of Indianisation. This desire is shared by an overwhelmingly large proportion of Indians. It is a question which will have to be discussed thoroughly. Undoubtedly one realises the responsibility of India for what you may call Empire defence. One realises the rights, powers, prerogatives and jurisdiction of the Committee on Imperial Defence. But it would be a *non possumus* attitude to say that we cannot think of Indianisation immediately because of prejudice against Indian officers on the part of those serving or likely to serve under them. If, as a matter of fact, all the arguments of the various nationals indicated by my Honourable friend were correct, if the Gurkhas and the Sikhs and the Punjabi Muhammadans and everybody else said that they should be only under their own officers or under English officers, then there is no meaning in the demand for self-government. I do not think that that is a true analysis of the position. I still believe that men belonging to the martial classes, when confronted with the live problem of an Indian Government run by Indians, will be able to perceive, and perceive very quickly indeed, that unless advance is made in the matter of Defence we shall not have a real form of self-rule. I make bold to say that once certain preconceived notions are jettisoned, once people make up their minds to found an Indian Army, that Indian Army will be founded, as national armies have been organised elsewhere in the countries which have made great strides during the last few years.

I have already taken more time than I had intended to, and I shall conclude by saying this. The contribution of the Round Table Conference to the Indian problem is not the contribution of cut and dried formulæ. It is the contribution of a unity of outlook and of ideals; it is the contribution of a Pisgah sight of a Commonwealth designed towards common ends. Its privilege was to transcend all previous reports and despatches and to build up complete provincial autonomy as the pedestal on which should stand a federal system uniting the two Indias together and preserving unity and legislation and administration in British India where requisite and unity of work in a federal matter with the States with a Supreme Court as a necessary adjunct. Its work will have to be judged generally by this test, namely, Has it taken us nearer to unity? Has it brought the Princes nearer to the British Indians? Has it brought the Hindus and Muhammadans, disagreeing to-day no doubt on many points, nearer to agreement in the immediate future on the broad questions of responsibility at the centre and in the provinces?

THE HONOURABLE MR. A. HAMID: A thousand times "No".

SOME HONOURABLE MEMBERS: Yes.

**THE HONOURABLE SIR C. P. RAMASWAMI AYYAR :** If I believe the truth of the interjection I would not be speaking here. It is because I fervently believe that "No" is the result of a transitory mood in my Honourable friend that I am speaking to-day. I do believe notwithstanding sporadic incidents the Hindus and Muhammadans are realising and will realise that they and the other Indians should rule in union over this country in preference to a bureaucracy however efficient from outside. I believe they think so, and it is because I am firm in that belief that I went to the Round Table Conference and I am speaking here to-day. It is a matter for rejoicing that non-official Europeans and representatives of Commerce are not antagonistic to our claims though they are naturally anxious to secure legitimate protection consistent with the paramount interests of the country as a whole. I shall conclude. I believe that the Round Table Conference has led to unity and I do not join with those who think that the Round Table Conference is a mirage and a sham. I hold that although complete unity has not yet been achieved, it has taken great strides towards the realisation of that unity. But the labours of that Conference are only a first step. The path is long and wearisome, but must be trodden and our pace must be quick and our labours strenuous. We have to climb many hills and a range of lofty mountains before we can reach the citadel at the top of the last peak. The united efforts of everybody, including those who here interject "No" is necessary.

**THE HONOURABLE MR. A. HAMID :** I wish it were possible.

**THE HONOURABLE SIR C. P. RAMASWAMI AYYAR :** Let them all come forward. Let us make a great common endeavour. If we fail, even then let it be said at least that we neither faltered nor lost heart.

**THE HONOURABLE MR. SYED ABDUL HAFEEZ (East Bengal : Muhammadan) :** Sir, in rising to take part in the discussion of the Round Table Conference papers first of all I cannot but refer to the unique event which Delhi witnessed the other day. I mean the peace settlement arrived at between the Government and the Congress. Most heartily do I congratulate His Excellency the Viceroy and Mr. Gandhi on their phenomenal success in negotiating the peace between the rulers and the ruled. It was a very good move on the part of both the Home Government and the Government of India to keep the doors of the Round Table Conference open to the Congress and to hold a session here in India. It is really wonderful how in so short a time Lord Irwin could convert Mr. Gandhi to his views to make peace. What great services these two personages have rendered to the people of India, nay, to the world at large, cannot be adequately expressed in words.

Without minimising the importance of this achievement I cannot at the same time forget to mention another obstacle standing in the way of the advancement of India. It is the question of Hindu-Muslim settlement. This question is, if not greater, at least, of equal importance. What a glorious day will it be for India when this question is finally settled and Hindus and Muslims march hand in hand for the common cause of the freedom of India. I am an optimist. If we are determined to make up our differences nothing can stand in our way of making a satisfactory settlement. Only a decade ago, in the days of the first non-co-operation movement, how these two communities sank all their differences and worked like two brothers. I wish those happy days will be brought back again.

Some say the Muslim delegates have totally failed in their mission to the Round Table Conference ; others say they have succeeded very well. Whether

[ Mr. Syed Abdul Hafeez.]

they succeeded or failed will be evident from the quotation which I am going to make. This quotation is a statement which was authorised by the Muslim delegates to be made by His Highness the Agha Khan on his behalf and on behalf of the Muslim delegates. It was read by M. Fazlul Haq before the Committee of the whole Conference on the 15th of January, just four days before the Conference was closed. (See page 233, Indian Round Table Conference proceedings.)

“ Mr. Prime Minister, we should like to place on record the policy of the Muslim Delegation to the Round Table Conference regarding the Reports of the Provincial Constitution Sub-Committee and the Federal Structure Sub-Committee. The Muslim members of these Committees have taken part in and given their assent to some of the recommendations of these Sub-Committees on the distinct and clear understanding that the position of the Muslim community will be effectively safeguarded in the future constitution of India. We have throughout acted in a spirit of compromise, and have spared no efforts to bring about the desired results. As you are aware, Sir, we have unfortunately failed to accomplish this object, and no settlement of the outstanding Hindu-Muslim problem has been effected. In these circumstances we feel that the only course that is consistent alike with the position of our community and its peculiar needs and the smooth working of the new constitution which we have been seeking to evolve during the last nine weeks, is to reiterate our claim that no advance is possible or practicable, whether in the provinces or in the Central Government, without adequate safeguards for the Muslims of India, and that no constitution will be acceptable to the Muslims of India without such safeguards.”

Sir, Moslem India will see how their delegates did their duty. They put the cart before the horse. They were given definite mandates in the form of the resolutions passed under the Presidentship of His Highness the Agha Khan at the All-India Muslims Conference at Delhi. With due deference to the high position of the delegates I must say that they committed serious blunders in joining the majority community in their demand of federation and responsible Government without first settling the Hindu-Muslim question.

I have stressed the solution of the Hindu-Muslim question as in my opinion any detailed discussion about the plan of federation; responsibility in the Central Government with safeguards, provincial autonomy and other matters is premature. This vital question must be settled first.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muhammadan) : Mr. President, I must confess that I was both sorry and disappointed to hear the criticisms of my esteemed friend the Honourable Mover of this Resolution. I should have thought that he would have told the House what he thought of the work of the Round Table Conference as a whole, instead of which he has tried to pick holes here and there in some of the Reports of the different Committees. My Honourable friend Sir C. P. Ramaswami Ayyar has so fully and effectively answered the criticisms made by the Honourable Sir Sankaran Nair that I do not propose to take up the time of the House with answering those criticisms, which if I did it would be in the same strain as that of the Honourable Sir C. P. Ramaswami Ayyar. I may be permitted to say a few words, as I think I am permitted to do by the manner in which this Resolution is worded, on the work done by the Round Table Conference. Mr. President, Sir John Simon is credited with the idea of this Round Table Conference. It must not be forgotten that both in the Assembly and in this House Resolutions were moved some years ago suggesting such a Round Table Conference. It was not held then, but the Round Table Conference which was held a few weeks ago was not a day too late. In regard to the good work done by it I will only say that what was considered impossible or unthinkable only a few months back is now regarded as being within the region of practical politics. As to the value of Conferences of this nature, let me quote the opinion of the Prime

Minister himself. He said on the last day of the Conference, the 19th of January :

“ I have had a good deal of experience of these Conferences. One week of a Conference produces more good than six months of diplomatic correspondence.”

I will certainly say that has been the case in regard to the nine weeks' work of the Indian Round Table Conference. In these nine weeks we have been able to cover the ground which has been the subject of agitation in this country not for 9 months or 9 years or even 19 years, but much longer ; and it looks as if we are now going to arrive at a solution of all our difficulties. Mr. President, in regard to this I am again tempted to quote from the speech of the Honourable the Prime Minister when bidding us good-bye. In that speech he made the following observations :

“ I think you will go back to India whether you are disappointed as to the work or not and say ‘ We were met by our British colleagues on terms of hospitable equality. We have put our case before them and they have listened with a desire to accommodate us ; and they have put their case before us and we assure you that there is so much in their case, so much experience in the working of constitutions, so much in relation to the peculiar conditions of India, that they and we must come to an agreement upon it ’.”

That, Sir, is the basis on which our work was done.

Before we went to the Round Table Conference we certainly thought it would be very right and proper that we should settle our communal differences in India. Unfortunately that was not done and the matter was postponed till we arrived in London. As the House is aware, the Conference was opened on the 12th of November by His Majesty the King Emperor. Days before then we met day after day for the purpose of bringing about a solution of the communal difficulties, but unfortunately we failed. The non-Muslim group had a few representatives to meet a few representatives of the Muslim community, mainly for the purpose of trying to get them to agree to joint electorates instead of separate electorates, for we were firmly of opinion that common electorates would be to the great advantage of the country rather than communal electorates. We might have succeeded, but unfortunately—and I cannot help observing it—there were some differences amongst ourselves as well, I mean amongst the non-Muslim group, and the House knows that the non-Muslim group consisted of not only Hindus but of Mahasabhaites, Depressed Classes, Sikhs, Indian Christians and others. No one was more eager that the communal differences should be settled before the Conference began than the Prime Minister himself. He lent his helping hand. He had the representatives of the different communities at Chequers and spent hours with them ; but unfortunately to no avail. Yet he was determined to make the Conference a success, and we accomplished what we have done and hope that now we are back in India the Communal question will be settled and settled satisfactorily to all.

The Conference was not all plain sailing. We had many ups and downs. In addition to what I have said about communal differences, there were some amongst us who observed, and observed frequently, that it was no use going on with the Conference unless the Prime Minister declared that Government were willing to give what we all asked for, namely, Dominion Status with safeguards. The Prime Minister could not do so at first. We now understand why he delayed so. The Prime Minister was in this country more than 20 years ago, and after his visit he wrote a book called “ The Awakening of India ”. It is surprising it has been proscribed in this country. But whilst there is a ban here against it, one could read the book if he wanted to in England, which some of us did. Reading the sentiments expressed therein

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we could not possibly believe that its author, Mr. Ramsay MacDonald, would not help us in getting Dominion Status with safeguards during the transition period, which was our demand. Mr. President, the reason why he delayed making a declaration was that he was feeling his ground. He was most anxious to know what was the view that would be taken by the British delegates of the two other leading Parties, namely, the Conservatives and the Liberals. The House will remember that before we went to London speeches were made by responsible members of either Party which we did not regard as helpful and which made us feel that perhaps we would not get encouragement enough from them. But the turning point came when our former Viceroy, the Marquis of Reading, made his memorable speech at the Conference. Even the Marquis of Reading changed his views which he held only a few weeks previous. And why? For two very good reasons. He saw that the demand for Dominion Status was not made by the Hindus alone, or by the Muhammadans alone, but by the representatives of every single community who were present at the Round Table Conference. If we were unanimous about one thing we were with regard to that demand. The second point, and that was perhaps of greater importance, was the coming in of the Princes in the proposed Federation. The Simon Commission Report is only a few months old. In that the hope was expressed that the federation of all India might be accomplished some day. The Government of India Despatch was placed in our hands after the work of the Conference began, so that it was very recent. Even in that Report they had no hopes in regard to the federation of all India being an accomplished fact within the next few years. To the great surprise, however, of everybody, the Princes came in; and when I say the Princes came in, I may remind the House that the idea of Federation came first, as far back as 25 years ago, from His Highness the Maharaja Gaekwar of Baroda; but during the present Conference it was, I have no hesitation in saying, primarily the work of one Maharaja, namely, the Maharaja of Bikaner, who has played a very important part in the work of the Round Table Conference and even before, and it is only when the inner history of all that has happened within the last twelve months is published will due credit be given to him which he deserves in the very fullest measure. To the Indian Princes therefore we feel greatly indebted.

I say Lord Reading's speech was a memorable one; Lord Reading's colleagues were equally sympathetic—the Marquis of Lothian, Mr. Isaac Foot, to whom reference has been made more than once by my friend Sir C. P. Ramaswami Ayyar, and also Sir Robert Hamilton. Mr. President, it is perfectly true that you can accomplish as good work at the sittings of the Conference as you can outside; and outside the Conference, during the many discussions we had with these gentlemen and also with the delegates of the Conservative Party, we found that we were able to bring them round to our view of thinking by degrees. I may be allowed to refer here in particular to the speech of Mr. Isaac Foot during the debate on January 26th on the Indian question in the House of Commons. That speech will go down in history as one made by a very liberal minded Englishman—a true friend of India. While the Liberals came so readily to our help, the Conservatives also have done so. If they did not to the same extent, I am sure they will as time goes on because we have great reliance in their present leader, and let us hope that Mr. Baldwin will continue to lead the destinies of the Conservative Party for years to come. His influence is great with them and he has the highest opinion and attaches the greatest weight to all that is being done by his friend and a member of his Party, Lord Irwin, as Viceroy of India. The Marquess of Jetland and Sir

Samuel Hoare and the Honourable Oliver Stanley have also rendered help, but the greatest assistance, as was expected, came from those who represented the Labour Party. Enough has been said here and elsewhere in regard to the Prime Minister. Lord Sankey was one of the very best and so were Mr. Henderson, Mr. Thomas and Sir William Jowitt, and last but not least Mr. Wedgwood Benn. I think the Prime Minister is most fortunate—and we are most fortunate—in having as the Secretary of State for India at the present moment one who has already done much and who means to do yet more for the advancement of India, namely, Mr. Wedgwood Benn.

Whilst we acknowledge our thanks to the delegates of the three great parties in England, I must not forget the Press. There is certainly a section of the Press which in season and out of season sees nothing good in India or in Indians. But there are papers like the *Times*, the *Manchester Guardian*, the *News Chronicle* and the *Daily Herald* which rendered yeoman service and more than all there is the weekly *The Spectator*. Its editor Mr. Evelyn Wrench and his cousin Major Yeats-Brown, the famous author of that book which is regarded as the book of the year 1930, "The Bengal Lancer", who is now a joint editor, between them week after week helped the Indian cause in a manner that perhaps very few others could have done. To them all India has reason to be very grateful indeed.

My Honourable friend has, I said, picked holes here and there in some of the Committee Reports. The main point of difference which exists in the country to-day in regard to the work of the Round Table Conference is on the question of safeguards. I am sorry he has not referred to them. I do think that safeguards are certainly necessary. Now, Sir, "safeguard" is a word which stinks in the nostrils of many to-day in this country, but they all seem to forget that when we asked for Dominion Status, even the Congress did so until two years ago, we all asked for Dominion Status with safeguards in the transitional period. If, therefore, we have agreed to what we consider to be reasonable safeguards, where is the wrong? And again, whatever we have agreed to is certainly not the last word. They will be discussed at the proper time once more and if people here think that we have erred, it is perfectly open to them when the expert committees are appointed to satisfy such committees to get these safeguards removed, or if not removed, considerably modified. Now, in regard to safeguards, it was first said that 80 per cent. of the revenues will not be under the control of the Legislative. Those who claim to speak with authority on the subject have now brought down the figure from 80 to 54 per cent. But whether it is 54 per cent. or any other figure, these safeguards are necessary at first and such safeguards exist everywhere, even in England. Let me read to you what the Prime Minister has said in regard to them. He says :

"Safeguarding—I do not like the word. To you especially, it is an ugly word: it is a word which quite naturally rouses great suspicions in your hearts. It is a word the aspects and the meaning and the connotation and the associations of which are rather forbidding. Let us apply common sense to it."

That is what I ask our Indian critics to do—apply common sense to it. Is there any country in the world where there are no safeguards, something in the manner of what are proposed in the debates at the Round Table Conference? As the Prime Minister proceeded :

"And my Indian colleagues, you can twist and you can turn, you can turn a blind eye to this and a blind eye to that, you can draft with care and you can hide up what

[Sir Phiroze Sethna.]

really is the substance of your draft, but if you were drafting your own constitution, without any outside assistance or consultation, you could not draft a constitution without embodying safeguards of that kind in it."

These safeguards must be looked upon in that light.

When we left London, it was understood or rather expected that at least some of us would try to prevail upon our Congress friends—we number so many amongst them—to come round to our view of thinking. But better than that, Mr. Gandhi asked for an interview with His Excellency the Viceroy. It was a case of one Mahatma meeting another Mahatma; it was a meeting of two great Mahatmas, for I regard Lord Irwin also as a great Mahatma. He is imbued with the one desire to do what is right throughout life, and particularly to do what is right in regard to India and the Indians, and I am sure that when he leaves the shores of this country within less than five weeks from to-day he will go away with the conviction and the satisfaction to himself that he has done his duty and there is no doubt in my mind that the name of Lord Irwin will go down in the history of India as that of one of the greatest of Viceroys we have ever had. (Applause.) Mr. President, whilst Mahatma Gandhi and Lord Irwin have done what they could to bring about peace, I must on this occasion not forget the very signal services rendered by three of our delegate friends, Sir Tej Bahadur Sapru, the Right Honourable Srinivasa Sastri and Mr. Jayakar. (Applause.) The country owes a deep debt of gratitude to them for their untiring exertions of the last few months.

It has been said that the negotiations which were carried on—it was said by a Member of Parliament—that the negotiations which were carried on at the London Conference were carried on with the leaders of India not of to-day not of yesterday, but of the day before. Whatever that may be, it is most gratifying to us that the leaders of the Congress have decided

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to come in and they have promised to co-operate. When they co-operate, we trust that the work of the Round Table Conference will be completed to the satisfaction of both India and England. Of course, we must not forget one class of Englishmen like Churchill, Lloyd, Rothermere and Beaverbook and Company who, as I say, never see any good in India and the Indians, who tried to make out, while the Conference was sitting, as well as before and after, that Government were yielding to the agitation of a few hundreds and were harming the interests of the millions in this country. To them my reply will be in only one sentence, and that sentence I take from the Prime Minister's Book "The Awakening of India". It is this:

"It is as true in India as it is in the West that a few make the opinions of the many and that the cells which determine growth are of an insignificant bulk, compared with those which maintain form and mass."

I will not take up any more time of the House. I am aware I have already exceeded my time limit. I am sure the country at large recognises that the Round Table Conference was an excellent idea and further recognises that the Round Table Conference has made a splendid beginning, and it rests with those who take part hereafter to make its work a complete success, which we expect it will be, so that peace and plenty may once again smile on this land. (Applause.)

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative):  
Sir, I wish particularly to be brief, and therefore I have made an endeavour, as I usually do, to put these big things in popular language and in homely



words. It is no use having long words, words of learned length and thundering sound ; they do not go far. Well, in this particular instance, the first point which I wish to make is the atmosphere in which this Round Table Conference was held ; and that atmosphere was immensely favourable. We know how our delegates were treated, princely entertainments were given to them, they were taken over to see the show, and all that sort of thing. Now, that was in England. And what took place in India ? In India the *Times of India* initiated what it called census and called upon all the Europeans living in India to vote as to whether a further instalment of Reforms should be given to India or not. And the result of that was that 83 per cent. of the Britishers staying in India voted that India should have an advance in political reform. That was a very good atmosphere, was not it ? Can it be better ? It showed that the Britisher was disposed to give you more and the heart of England was sound. But then our friends went this long distance at great inconvenience and expense to themselves ; they went to ask. Well, now, the giver is willing to give and the person asking is ready with his hands to receive. What is there to prevent the giver from giving and the recipient from receiving ? That is the whole question : it is a simple question, and I hope to answer it for myself. You all know that all our Finance Ministers always want to have a great surplus, but unfortunately it does not come. Then we say : "Why, there is no surplus ? Yes, world circumstances have changed the whole thing." So, it is world circumstances that have changed this fortune of India too. There is the giver willing to give and the receiver willing to take, but it cannot be given now. Why ? That question requires a little analysis, and I have made it as easy as possible. In this particular case we should take the political state of England. The Government in power has not an absolute majority. If they want to keep on going they have got to depend upon the Conservatives. They cannot say to us : "Here it is ; you take it away". In India also there is a good deal of division ; we are divided amongst ourselves ; I suppose that is not a secret at all. That being so, the world circumstances which prevented us from getting these things are only one ; that is to say, England is not of one mind on this matter, nor is India of one mind. And that is where the trouble comes. You may say that there is a great deal in the papers at present that the Conservatives in England are sitting on the fence, and there is Mr. Churchill speaking and directly going against Indian aspirations. Yes, it is so. But you see it is the Conservative Party that sent Lord Irwin to us here. Where then is the trouble ? It is a peculiar phenomenon that is being enacted before our eyes. It may be that Mr. Churchill does speak very unhappy things. But when the time for action comes, I think probably he will help us. Mr. Gandhi—I would call him Mr. Gandhi ; Mahatma Gandhi he is not or he may be, I do not know—speaks here in favour of progress but always works against it. When the Minto-Morely Reforms came, Mr. Gandhi was not on the horizon ; when the Montford Reforms came, he talked well but prevented his followers from coming to the Council. When the question of convening a Round Table Conference was raised, he talked much but started his civil disobedience movement. So, here are people who speak against you and yet will help you, and here are people who speak for you and yet will obstruct at the right time. The greatest joke of it is that Mr. Gandhi after the Conference, to which a reference was made in this House, said that he had won all round ; it was a great victory and his followers should not feel elated about it ; they should be very humble. As we all know, he came in with his 11 points, but now we see that he did not get any single point ; he has been beaten hollow. All the same he comes forward as though he was victorious and there are people who will recognise his victory. I do not know how this will work, but anyhow there it is.

[Mr. G. S. Khapard.]

Coming to the Round Table Conference, I should think that people who were anxious to secure much have not secured it. I think the delegates who went would have done well if they had secured something—a British India and an Indian India. All that they have given us is a Federation—a very charming word ; it is a word with which you fall in love at once ; there is no doubt of that. But there is this trouble. Our delegates who went to England would have done immense good if they had brought back with them a little more advance, a little more representation. The delegates were good people I admit—nearly all of them are my personal friends, and so I am not interested in speaking against them—but this Federation appeared on the field. You know the characteristic of love is that the latest love suppresses the love of the previous ones. They saw “ Federation ”, they were immensely delighted and forgot about all the mission that they went on. We are a smaller firm in India while the greater firm is in England. We want to be masters of that smaller firm, and we want to be consulted in future as we are not at present. They went there for that purpose ; they could have worked for this little bit in this good atmosphere and got it. But this Federation came in and they fell in love with that Federation. The labours of Provincial Governments, the labours of the Central Committee and the labour which the Government of India took in framing their Despatch were forgotten. The Federation, whatever that is—we will see about that—is something which took them entirely off their feet. This Federation business is rather a different job. I do not want to speak about it much. I am not against it certainly, because after all our delegates have accepted it and after their having accepted it, it is our duty to accept it also and do the best under the circumstances. However difficult it may be it does not matter in the least. We have got to take it. Therefore, I say, Federation is not a bad word. It is a beautiful word. “ F ” stands for federation itself. (*The Honourable Mr. A. Hamid* : “ Nothing else ”.) There is the letter “ R ”. That represents the responsibility that is to be introduced into the Government. “ I ” is the identification of interest of India and England. “ E ” means equality, that is to say, both these will be completely equalised, no one dominating the other. “ N ” means that this has to be carried out not by force but by negotiation and by consent. “ D ” is the last letter and it stands for defence, which includes internal and external defence and all the departments of the Government taken together and put into one. This is a beautiful word and we are fond of it. Our delegates have accepted the position and the best thing that we can do is to accept it ourselves. There is no good quarrelling with our own agents. They have done it already and we must accept it. But we must concentrate our attention upon the five letters that I have described. It does not much matter if there are small differences in small matters. Even wives and husbands do not agree on all subjects. With all these differences we still get on and manage to live.

The next thing to see is how to bring this about. There are two things that have been said. One is that the constitution should contain elements of growth in itself, and that it should be suitable. Of course, any constitution, if it is to be anything, must have elements of growth in it. What are the present elements of growth ? If we want to make a move then we put a question, and if the question succeeds, all right ; if not, then we move a Resolution to press the thing. There are only these two ways open to us. I suppose these two will be open to us even under the Federation. Though dyarchy has been abolished in the provinces, it has come into the Government of India. I wanted to see how dyarchy which is bad for the provinces is good enough for the Central Government. Does it change its character or its colour by

coming over to Delhi instead of remaining in the Central Provinces ? I tried to see the discussion but it is simply said there that dyarchy is to be abolished. No reason is given there. What is bad enough for the circumference is also bad enough for the centre. Dyarchy should not have come into the centre, but dyarchy is to come in. Why ? Because there are to be some reserved subjects. What we call "reserved subjects" may hereafter be called "Crown subjects". There will be other subjects called "federal subjects". Others will be "provincial subjects", and the thing will go on in an endless maze, and I do not want to go into it. All these have got to be taken with their limitations also. I studied Broom's "Legal Maxims" for my examination. There a principle is stated ; then come the limitations to that principle. These are what are called safeguards. Then come the exceptions to the principle. "Safeguard" is a bad word. It means as if one person is keeping away something, and another man wants to snatch it away, and therefore you build a wall in order to prevent one man from giving or another man from taking. The real words are "limitations of the principle". These principles of friendship or responsibility have their limitations, and these limitations are wrongly called safeguards. There are even exceptions to that, but we need not think of exceptions at this moment. We must get the limitations properly limited, that is to say, eliminate as many limitations as you possibly can. Take away the safeguards as far as possible, because all safeguards imply a certain amount of distrust, distrust either in the ability of the person or want of confidence in the person. In this particular instance I submit that there ought to be no distrust at all. As to want of ability, I suppose that both in the civil services and the military services there are my illustrious friends who have achieved triumphs. In the military circles I have not got a friend who has achieved a triumph. We have never been found wanting in intellectual equipment. We have been sending our young people and they have passed the Civil Service examinations and they are holding high places in the administration in the districts and provinces. Where is the difficulty ? All that is required is that this word "limitation" should be substituted for "safeguards". Remove that word and substitute a mentality which requires no safeguards, and the thing will succeed. If you have a mentality that has to be limited, then there is a bar. But take away the limitation, and the other side will also remove its own limitations. I am always accused of telling stories. So I will not tell a story. But the secret of it is this. If you do not fear a snake, it will not bite you. If you do not fear a tiger, it will not kill you. If you fear a snake, it will bite you ; if you fear a tiger, it will kill you. These limitations are the real terrors. If you take them away, then you will see that the thing will work well. I hoped that our delegates would have done better, but the thing has been done, and we must take it and do our best to accomplish the thing as I have just described.

**THE HONOURABLE MR. A. HAMID (Burma : General) :** Sir, I feel confident that I shall not err by taking advantage of the present opportunity afforded to me to express Burma's acknowledgments, sincere and grateful acknowledgments, to His Excellency Lord Irwin, for his unstinted and untiring efforts to save India, which was, but a few days ago, in the throes of civil war on the one hand, disunity amongst her own people and everlasting misery on the other.

By bringing about an honourable settlement between his Government, and Mr. Gandhi, the Leader of the Congress Party, Lord Irwin has earned for himself not only the gratitude and esteem of the 300 millions of the people of India, but has made himself endeared to them. His name will stand in

[Mr. A. Hamid.]

brilliant colours in the history of India as Irwin the Good, as Irwin the Christian and as Irwin the Peace-maker.

I offer His Excellency Lord Irwin my humble congratulations in which I have not the slightest doubt the House joins me.

Sir, I also wish to take this opportunity of recording our appreciation of the work done, and, recognition of the services rendered to India by the Princes and Delegates of India and Burma at the Round Table Conference ; in no less degree do we appreciate the most valuable contribution made by the Prime Minister and the representatives of all the parties of the British Parliament in the cause of India.

Sir, I am not prepared, and I have no inclination to speak on the matter of Federation pure and simple. The question of Federation appears to my mind, at least I picture it, as a pin cushion in so far as criticisms are concerned; I have therefore no desire to add another pin to make the already loaded cushion heavier. I therefore propose to put before the House my views, such as they are, in relation to Federation on its general aspects. But before I do so I would prefer to express my views on the past and present history, of this country. At the turning point of the history of this country, it may not be out of place to recall to mind the lessons of its past history, for it will hardly be creditable to our intelligence to forget the past in appreciating the present. To forget the days—and I say it in all sincerity—when the Mahratta lance and the Moghul sword were drawn full tilt, when the Rajas, Maharajas and Chiefs were steeped in their feudal rivalries or in wars amongst themselves, when the honour and wealth and the life of an individual was in the hands of only stronger individuals, is to forget our existence. At that period of strife and disorder the inscrutable Providence raised, as it were from the sacred ashes, a people ordained to enliven and give new birth to the people of this country and to mould order out of chaos. It is due to those people, and to those people alone, that India has marched on the road of its moral and material progress and prosperity. It is due to their administrative capacity and their political sagacity that a divided and bleeding India of old has become a strong and aspiring India of to-day. It is to the everlasting credit of the British people that Delhi has not been plundered and scorched for the eighth time nor the occasional devastation of the country from end to end had been repeated for a period of 150 years or more. Glorious no doubt, though, has been the past history of the British people in India, a work of a more solemn and sacred nature lies before the British people in the future. To say that the mission of Englishmen in India is fulfilled, to say that Englishmen are not wanted any more, to say that India can do without Englishmen is, to say good-bye to India. If I were to be asked for my reason for the preface I have just put before the House, I would submit that—and I say this in order that Sir C. P. Ramaswami Ayyar may understand my “No”—as long as Hindu-Muslim unity hangs in the air, as long as Hindus and Mussalmans remain two distinct factors in the nationhood of India, so long India cannot help but be controlled and ruled by England. That is inevitable and that is the truth ! I am not a communalist. I loathe the word. I abhor it. But in all conscience I cannot shut my eyes to it. And why ? Because King Akbar failed to bring about the desired unification of the two great communities in spite of conciliatory measures, while Aurangzeb on the other hand tried different methods and failed miserably too.

Will Mr. Gandhi, the Indian saint, who has been working for that end and for years, succeed ? I do of course raise my hand to salute him for his sermon

of the day before yesterday, but I doubt whether sermons alone did ever influence people to give up their inherent vices.

The only way—I am afraid I shall get it in the neck in this House and probably outside as well for saying it, though I am brave enough or audacious enough to say it—to bring about real unity is to force the issue upon the country with a Statute. Under that Statute you will be enabled to compel the fanatics on both sides to agree, or it may be that you may have to have some of them shot and some of them hanged, and thus cure this cursed malady of communalism which is sapping the physical and moral strength of India. A temporary patch up, or just a mere “entente cordiale” between the fanatical sections of the two communities will only mean political debut, having for its object opposition and obstruction of such elements of progress as may otherwise lead Indians to that freedom which is their birthright.

**THE HONOURABLE NAWAB KHWAJA HABIBULLAH :** Does not the Honourable Member come from Burma ? What does he understand about India ?

**THE HONOURABLE MR. A. HAMID :** I will reply to that after a while. Right-minded Indians, however, do not require political “make ups”. They do not want 14 or 11 points. They want real substantial unity, unity in word and unity in deed. If this type of unity cannot be reached by reasonable measures, the time will come when Indians will demand that it be brought about by force. Our representatives at the forthcoming Round Table Conference will have to take serious notice of the country’s decision....

**THE HONOURABLE MR. H. M. MEHTA :** I rise to a point of order, as to whether we are discussing the Round Table Conference or Hindu-Muslim unity ?

**THE HONOURABLE THE PRESIDENT :** The Honourable Mr. Hamid.

**THE HONOURABLE MR. A. HAMID :** They will have to take notice of the country’s decision that no Federal or other combination of names can ever help India without obtaining the unity of the two great communities of India first, and I take it that is virtually what Sir C. P. Ramaswami Ayyar has just said. Enlightened India does not want to be thrown from the frying pan into the fire. Enlightened India will hold fast to the tails of its past and present masters unless it is emphatically convinced that there is unity in the land in all its aspects. Enlightened India does not want to go back to the period of Sikh rule, when Mussalmans in the Punjab and the North-West Frontier Province were no better off than slaves. Enlightened India does not want to go back to the period of Aurangzeb, when Hindus were treated as nothing on earth. It wants a united, contented, free, prosperous and smiling India. I therefore warn the Government not to dissipate their energies in the direction of evolving a constitution but set themselves to settle the question of a sovereign importance and that is unity first and unity last.

**THE HONOURABLE SARDAR BAHADUR SHIVDEV SINGH UBEROI :** Is the Honourable Member aware of the fact that a Muhammadan was in the Council of Maharaja Ranjit Singh ?

**THE HONOURABLE MR. A. HAMID :** I am fully aware of the exception.

**THE HONOURABLE THE PRESIDENT :** Is the Honourable Member likely to conclude his speech shortly ?

**THE HONOURABLE MR. A. HAMID :** In two minutes, Sir. I am sorry for having taken so much of the valuable time of this House and I would plead guilty to the charge, if it is brought up, that I have not yet said a word about Burma. I left over the question of Burma not because it was not uppermost in my mind, but because I was afraid that if I did not speak as I have done, my own people would not perhaps have had another opportunity of hearing my views on the implication of the changes which they seek in Burma.

As regards the position of Burma, in connection with the next Session of the Round Table Conference, the less I say the better. I will therefore be brief. The representations of the Burma delegates at the London Conference are embodied in the proceedings of that Conference and Honourable Members, I daresay, have read them. I was in accord with the demand for separation before my election to this Council. I am in agreement with that demand today. As our delegates at the Round Table Conference have very carefully avoided committing themselves to the details of a Federal Constitution, I feel therefore inclined to follow their footsteps. I would however submit that, come as it may, Burma will not be satisfied with anything short of what India may get by way of reforms ; and for the rest of my submission I may tell Honourable Members that if India can convince us that the principles of Federation are likely to improve Burma's condition in regard to its voice in the Central Government and also in regard to its finance, I see no reason why Burma should not join the Federation in preference to becoming a detached unit of an Empire, still dependent on India for labour, capital and professional men and a variety of other things.

Sir, I beg to apologise for having taken so much time.

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The Council then adjourned till Twenty-five Minutes to Three of the Clock.

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

**THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) :** Sir, the Round Table Conference has achieved a great deal. It has been successful to a degree quite beyond the expectation of most of us. The delegates who took part in it deserve our congratulations. The readiness with which the Ruling Chiefs gave their consent to come into the Federation came to most of us as a surprise. It speaks volumes for their patriotism, forethought and statesmanship to have decided to take part in the future constitution of India with the people of British India. This constitution will go down to posterity as the constitution of the United States of India. The Conference has done the spade work and laid the foundation. It remains now only to erect the superstructure. The list of Federal subjects as also of the Central subjects pertaining to British India alone does not seem to require much change. The control of the Central Government over the Provincial Governments to secure co-ordination between provinces and to maintain peace and tranquillity in the country as a whole should be clearly defined.

It is gratifying to find that full provincial autonomy has been unanimously recommended. The discretion given to the Governor to appoint an official in the Cabinet, as recommended by the Simon Commission, has been unanimously condemned. The power of intervention which is given to the Governor by section 52 (3) of the Government of India Act is proposed to be taken away. As to reservations and safeguards in the Provincial Government, there may be differences of opinion. There was, however, unanimity that on occasions of emergency, when there is a breakdown of the constitution, the Governor should be empowered to intervene. The majority of the delegates recommended that the Governor should be empowered to intervene to protect (1) the interest of minorities and (2) to maintain peace and tranquillity in the province. My own view is that Government's intervention in the interest of the minorities is, in the first place, an inadequate protection and in the second place is liable to abuse. Proper and adequate protection of the minorities consists only in a proper declaration of the fundamental right of citizenship unassailable by a majority. If the rights specified in such a declaration are of such a nature that their infringement can without such inconvenience be made justifiable, intervention by the Governor would become unnecessary. But some men of the minorities gave a long list of rights in the enjoyment of which they wanted protection and a feeling of security. Such rights may be violated not only by legislative enactments but by administrative orders. An appeal from administrative orders involving infringement of the rights of a minority should lie to the Governor on the administrative side. Thus the Governor's interference and adjudication by civil courts should supplement each other. As to the power of intervention for the purpose of maintaining peace and tranquillity in the provinces, I may say that this would become unnecessary when a proper sense of responsibility develops in the electorate, in the Legislative Chamber and in the Cabinet.

With regard to the Central Legislature and on the part which the Princes will play in it, many points remain to be decided. I hope that the election to the lower House will continue to be direct and the weightage proposed to be given to the Princes will not exceed reasonable proportions. Their interference in matters relating purely to British India, in other words, in matters dealt with by the Central subjects, appears to be altogether unnecessary. I see, however, no objection to their representatives being included in the Cabinet. It must be remembered that the Cabinet, as a whole, deals with Federal matters as well as with matters purely relating to British India. There is, therefore, no reason to exclude the Princes from the Cabinet.

It has been said that the representatives of the Princes will exercise reactionary influence. It should not be forgotten that India is moving rapidly towards democracy. The forces under the influence of which the Princes have consented to co-operate with us will in course of time increase in volume and strength. In some of the Native States there are elected Assemblies and Legislatures. From these States the representatives of the Princes will probably come from the elected Chamber. This mode of representation will gradually spread to other States and may strengthen the demand for elected Chambers in the States. No future constitution of India could ignore the Native States. The Nehru Report proposed to include them. In fact, the Report of the Butler Committee was criticised as recommending the partition of India into British India and Indian India. There is, therefore, no justification for looking upon the inclusion of Princes in the Federation with suspicion. Responsibility in the Central Legislature has been introduced, keeping military and foreign affairs as subjects to be administered by the Crown for the transitional period. I will deal later with the question connected with problems of

[Rai Bahadur Lala Ram Saran Das.]

defence. Before dealing with them I should like to say a few words on the reservations for the Department of Finance. No one can question the propriety of the Governor General's power of intervention in matters which tend to lower the credit of India in the world. But I do not know by whom the Governor General will be guided if he is not prepared to accept the advice of his own Finance Minister. Would it not be better to assign a time limit to this power of intervention? There is no reason to apprehend that the elected Chamber will always be unfit to grapple with financial problems.

It is to be regretted that the minority question has not been settled. Its settlement has been left to the minorities themselves. I do not think that it is right for the British Government to shift the responsibility of settling the communal problems to the communities themselves. The separation and isolation of the communities is a creation of British rule and if such separation and isolation is incompatible with complete self-government, it is the duty of the British Parliament to do away with that policy of separation and isolation which is a misfit for the type of the Government proposed to be introduced. Putting the matter in a more concrete form I would say that separate electorates are not calculated to produce that harmony which is a necessary condition for working representative institutions on a democratic basis. The Simon Commissioners in their proposal, which fell far short of introducing complete self-government even in the provinces, recommended that the abolition of separate electorates should depend upon the mutual consent of Hindus and Muslims regardless of the fact whether a particular community was in a minority or majority in the province. In doing so the learned Commissioners ignored the genesis of separate electorates. These were introduced as a measure of protection to the Muslim minorities. Their continuance in the Punjab and Bengal, where the Muslims are in a majority, should not have been recommended. The Hindu minority both in the Punjab and Bengal objected to separate electorates. They do not look upon it as a privilege but as the negation of a privilege. A number of Muhammadans who were signatories of the Nehru Report—and they have a fairly large following—hold this view. At page 30 of the Nehru Report it is clearly explained that separate electorates far from being a protection for the interests of the minorities will be harmful to them in an autonomous province. The learned members of the Statutory Commission made a careful study of the Nehru Report but ignored the view of the framers of that report about separate electorates being prejudicial to the interests of minorities. The Commissioners, however, maintained the principle of reservation of seats in the proportion in which they exist at present. They were unwilling to interfere with the weightage given to the Muslims in different provinces at present. They would not for the sake of giving an absolute majority to the Muslims reduce the weightage of other communities. The Government of India Despatch went far beyond the Report of the Simon Commission in meeting the Muslim's demands. In this Despatch an absolute majority to Muslims was recommended both in the Punjab and Bengal.

Coming as I do from the Punjab, I examined the Punjab figures given by the Punjab Government on which were based the recommendations of the Government of India. The proposals of the Punjab Government proceed on erroneous data. The population of Hindus in the Punjab is 31·98 including Jains and Buddhists who are a part and parcel of the Hindu community and for whom no separate seats have been assigned. The proportion of Hindus is not 31 as pointed out by the Punjab Government. It is nearer 32 than 31.



Out of 134 seats proposed by the Punjab Government for the Punjab Council, the Punjab Government assigns 66 seats to Muslims, considering the labour seat to be indeterminate. It is as such a Muhammadan seat as the University seat which has been credited to Hindus is a Hindu seat.

The commerce seat which is included in the 40 seats assigned to Hindus is not a Hindu seat for the European voters preponderate in this constituency. The Hindu representation, therefore, is reduced to 39 which is nearly 29 per cent. or about 3 per cent. below the numerical proportion of the population. The Muslims are given a majority of 4 over Hindus and Sikhs combined and not of 2 as pointed out by the Punjab Government.

In no province in which the Muslims are in a minority is it proposed to reduce their representation to anything less than their numerical strength in the population. On the contrary, they have been given weightage. In the Punjab weightage already enjoyed by the Sikhs has been maintained.

Leaders of the political parties in England have from time to time said that in any constitution which might be framed for India, the interest of minorities would be protected. To reduce the representation of the Hindu minority in the Punjab to something below their numerical proportion is, in my humble opinion, a flagrant violation of the pledge. A double injury is proposed to be inflicted on the Hindu minority in the Punjab. They are deprived, in spite of their protest, of the right of electing Muhammadan and Sikh Members of the Council in whose hands lies their fate, whilst the representation of Hindus is also reduced by nearly 3 per cent. below their numerical proportion in the population. The Muslim population in Assam is 28.95. The seats at present in Assam reserved for Muslims are 29.2 (see page 144 of the Simon Report, Volume I). Nowhere in the world is a minority in a State treated in the manner in which the Government of India proposes to treat the Hindus of the Punjab and that in spite of pledges given by British statesmen from time to time to protect minorities. Are there any reasons for differential treatment of minorities? Why is it not intended to treat the Muhammadan question communally and not territorially? It was evident from the speeches made at the Plenary Session of the Conference that the demand for Dominion Status was unanimous. In the recent agitation all communities have taken an equal part. If the figures are reviewed provincially, it is natural that the part taken by a community in the majority will loom large. The majority community of the North-West Frontier Province has not lagged behind the majority community of the other provinces in the agitation for political advancement. Separate electorates should not be allowed to be used as a means of asserting communal ascendancy.

On the question of defence, some general recommendations have been made by the Round Table Conference. Action is being taken on them. I should like, however, to say a few words on the stress which has been laid lately on discrimination between the martial and non-martial races. It has been said that there are castes which have martial traditions and others which have not. The creation and extinction of traditions depends upon the policy adopted by the powers that be. The question now before the British Government is to prepare the people of India for defending their own country. It is not right to draw the attention of the people to differences of traditions and thus indirectly to defend a policy of discrimination based upon them. Is any one prepared to deny that the Kshatriyas were the warriors of ancient India? Had they no martial traditions? But for a long time past their recruitment to the Army has been stopped. I would ask His Excellency the Commander-in-Chief, who

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I am sorry is not present here to-day, to take a complete survey of the composition of the Indian Army since the time of Lord Clive. Castes from which no recruitment is now made furnished some of the best soldiers of the East India Company. Since the time of the Mutiny, the policy of the British Government was to encourage the enlistment of certain castes and to discourage that of others. The *Purbias* once furnished the best combatants for the British Indian Army. Their recruitment ceased after the Mutiny. The *Purbias* have since lost all their martial traditions. In the Punjab during the War, many non-martial classes—even the depressed classes—became converts to Sikhism or Christianity, and thereby got admission into the Army. By a simple change of religion their non-martial traditions were all of a sudden turned to martial. I might say, Sir, that during the War, the number of these converts amounted to over 60,000. So, Sir, I want the attention of the Government of India to be drawn particularly to the question of recruitment, and I urge that opportunity should be given to all communities to take up this field of service, and thus render India able, at the time when conscription comes into force, to defend herself. . . . .

THE HONOURABLE THE PRESIDENT : The Honourable Member has exceeded his time limit. There is very little excuse for an Honourable Member's infringement of the rule regarding the time limit when he reads his speech. He must know exactly how long it will take him to read his speech, and it is evidence against himself that he set out with the deliberate intention of exceeding the time limit for a speech on a Resolution.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : In case that is your ruling, Sir, I must stop as I have no other alternative.

THE HONOURABLE NAWAB KHWAJA HABIBULLAH (Bengal : Nominated Non-Official) : Sir, I rise to speak as silence on an important occasion like the present one may be misconstrued, misunderstood and misinterpreted. With the Irwin-Gandhi settlement, India has taken a very big step towards the attainment of her ultimate goal. The task of evolving a constitution for a vast country like India with its millions of population and countless castes and creeds is by no means an easy one and has already taxed to the utmost some of the best brains of England and India. With the progress of the deliberations of the Round Table Conference it had become more and more clear that an atmosphere of peace and good-will was essential for the successful termination of its labours and rendering them fruitful. To the achievement of this object the greatest Viceroy of modern times devoted his undivided thought and attention and, at last, snatched victory from defeat where ordinary men would have failed. To the broad-minded statesmanship of the Viceroy and Mr. Gandhi is due the grateful thanks of the peoples of England and India and of the British Commonwealth of Nations, and I welcome the Irwin-Gandhi settlement as a Magna Charta of abiding peace and good-will for India.

The Hindu-Muslim problem is the next big question the satisfactory solution of which will ensure the continued maintenance of an atmosphere of calm, peace and good-will, and facilitate the task of evolving a constitution acceptable to all the communities.

The demands of the Muslims for protection and safeguard, if considered dispassionately, would not be found unreasonable. Like India's mistrust of England, mistrust and suspicion are at the root of Hindu-Muslim tension and

dissensions. The unauthentic text-books on Muslim history taught in schools are in no small measure responsible for having created in Hindu minds a feeling of mistrust against the Muslims. The late Mr. C. R. Das did his best to remove that mistrust and restore the old feeling of friendship and neighbourliness. His untimely death unfortunately put a stop to that noble work, and the activities of militant die-hards on both sides soon destroyed the beneficent results of his noble efforts.

The famous Bengal pact of Mr. C. R. Das is not only a standing monument to his far-sighted statesmanship but also a testimony to the reasonableness of the Muslim demands. Could it be suggested that a great patriot and leader and founder of the Swaraj Party entered into an unjust, unreasonable and inequitable pact simply to placate the Muslims? Was he a heartless opportunist who wanted to deceive the Muslims and hoodwink his Hindu followers merely for his own personal advancement? Most emphatically no. He drew up the Bengal pact and piloted its acceptance by the original Bengal Congress because he was convinced of the justness of Muslim demands, because he was convinced that in acceding to them he was advancing the cause of India.

Sir, if I understand the meaning of democracy aright, it means equal rights and privileges for all. Is it then too much to ask, as the Muslims do, that the interests of the minorities should be adequately safeguarded? Our brethren, branded as they are as Depressed Classes, who have hitherto been denied any scope of self-expression and have meekly borne the stamp of out-caste, but who are no longer inarticulate and have been making their potent voice felt, must also have their reasonable share in this confederation.

Sir, we Muslims ask for a 33 per cent. representation in the Central Legislatures. Sir, we Muslims ask for separate electorates because we sincerely believe, situated as we are at present, that it will serve the interest of the Motherland better. And speaking for the Muslims of Bengal, to which province I belong, we want separate electorates and representation according to population which, I venture to hope, will be conceded as a just and reasonable demand.

Sir, the Muslims are not unmindful of their duty at this critical juncture. They have already made a gesture to Mr. Gandhi through the All-India Muslim League to bring his influence to bear on all concerned and make up all differences by resolutely putting his foot down on all writings and speeches which widen the breach between the sister communities. And it was highly encouraging and extremely gratifying to find that on his part Mr. Gandhi was not slow in responding to their call. It was like his noble self to exhort his Hindu brethren in his memorable speech on the 7th to rise to the occasion and make the sacrifices needed of them in this hour of trial, for it is the majority community, he holds, that can afford to be magnanimous and accede to the demands of the weaker ones so as to bring them within their fold and link them into an undivided whole—the United India. Sir, union makes strength, and once the Hindus and Muslims sink their differences it is as clear as daylight that their united demand for their legitimate rights will acquire a force, the intensity of which can well be imagined. To the task, therefore, of bringing about Hindu-Muslim unity should the thoughts of all lovers of their Motherland be now directed.

Sir, I would not touch on the achievements of the London Round Table Conference and to what extent they fell short of our expectations, nor do I consider myself competent to express any view as to the shape the constitution of India should take. I have no reasons to doubt now that the whole of India will be represented in that august body, that the destiny of India is in perfectly safe hands, and with toleration and good-will as the guiding principle,

[Nawab Khwaja Habibullah.]

the intricacies of this great problem will unfold themselves and a solution acceptable to all will no longer be difficult of attainment. But all will depend on the inflexibility of our determination to work together. So, let our watchword be "Unity" and let us put our shoulders to the wheel to achieve, call it Dominion Status or self-government.

THE HONOURABLE SARDAR BAHADUR SHIVDEV SINGH UBEROI : (Punjab : Sikh) : Happily we are discussing the achievements of the Round Table Conference in an atmosphere which is quite different from that in which that august body took its birth and started its work. It was said openly in those days that it is only the Congress people led by Mahatma Gandhi who could deliver the real goods on behalf of India. It has proved to be true, but at the same time India cannot forget the boldness and the courage which members of the Indian Liberal Federation like Sir Phiroze Sethna and Sir C. P. Ramaswami Ayyar displayed in expressing their willingness to join in the deliberations of the Round Table Conference in London. I have nothing but admiration for those stalwart patriots of India who, in spite of the opposition which was shown to them by the masses led by the Congress, at that juncture showed the courage of their convictions and joined the Round Table Conference. They have given a very good beginning for the future constitution of India, but I cannot help saying that had it not been for the deliberations in London who would have brought the Princes and the representatives of peoples of India into a common federation, and who would have got this declaration from the Prime Minister of the British Government which reads as follows :

"The view of His Majesty's Government is that responsibility for the Government of India should be placed upon the Legislatures, Central and Provincial, with such provisions as may be necessary to guarantee during a period of transition the observance of certain obligations and to meet other special circumstances and also with such guarantees as are required by minorities to protect their political liberties and rights."

I count this as a very great achievement, because before they started for London there were misgivings in the minds of the people of India that perhaps the declaration of 1917 may be construed by English statesmen as not meaning full representative Government amounting to Dominion Status. All those clouds are removed now. But whilst I am fully cognizant of the good work done by the members of the Indian Delegation, I cannot tolerate the remarks which my friends Sir C. P. Ramaswami Ayyar and Sir Phiroze Sethna passed about another Honourable friend of mine, Sir Sankaran Nair. They said that Sir Sankaran Nair has tried to pick holes. I do not agree with that view, although if nobody picks holes there will be none to fill those holes in order to make the ground level. Sir Sankaran Nair has tried to show the deficiencies in what has been achieved. I think he has done good. Sir Sankaran Nair of course holds the view that when full representative Government is granted it is not consistent with the principle of representation on a communal basis. And I think it is admitted by my Honourable friend Sir Ramaswami Ayyar that they have done so in the belief and in the hope that there would be unity amongst the different classes and communities of India. It is a very good wish and I fully endorse it, and I think nobody can express his views better than what the Premier himself has said on this point.

"If we are animated by anything, it is by the conception of India herself—India a unity, India feeling behind and below and above and beyond her communal differences that mystic bond of unity which the great poets, the great philosophers, and the great religious teachers of India have always felt. Believe me, the British Government has no desire to

use your disagreements for any ulterior purpose. Quite the opposite. Our one ambition is that, being in a sense kith and kindred with you, (since history, whether you liked it or whether we liked it, has woven our destinies somehow together), we may use that unity with you in order to pave your way and smooth your path to that much required internal unity amongst yourselves."

I do not think any Indian can better express this view of unity amongst Indians, but the question is how to bring about that unity? Since the inauguration of the reformed constitution of government in India, as ill-luck would have it the party in whose hands it was to grant the constitution had adopted the principle of separate electorates and separate representation of different communities. Well, that has worked for nearly 12 years, and everybody is aware—I need not recite the facts—how this has acted against the unity of India on a common platform during the last 10 years. If that principle which was acted upon has not brought unity, which is the foundation stone of the future constitution of India, how is it expected that if the same is continued in the future that would bring the constitution of India to the full representative system of democracy? Whilst many knots have been opened by the members of the Indian delegation in London with the help of British delegates and Princes it is a matter of very great ill-luck of India that this knot has not been properly opened, with all the strenuous good wishes and efforts of the Premier. With all the good wishes which I entertain, I observe that if the free atmosphere of England has not been able to saturate the minds of those gentlemen who were representing the minority communities there to come to some common settlement, I have my doubts that in India they will be able to achieve it; but I believe in Divine power and Divine power can effect miracles. One miracle has been effected lately—Mahatma Gandhi has been able to reconcile himself to the views of Mahatma Lord Irwin, as my friend called him. I think that has brought peace; that has brought such an atmosphere in the country which will enable every well-wisher to work in a smooth atmosphere for the future constitution of India; and we all feel grateful to Lord Irwin for that and it is no wonder that such a miracle can be wrought by the Divine power in the very near future for bringing the Hindu, the Moslem, the Sikh and other minorities to come to some common understanding. Going into practical politics, I wish that some tangible step had been taken by the Indian Delegation in London towards bringing that unity amongst the communities. But nothing has been achieved in that respect and I would certainly commend for the consideration of everybody concerned the formula which the Indian Central Committee decided by a majority of members—and it is put down in their Report—that every minority community should have a reservation of seats on the basis of population or their voting strength in a joint electorate. That is of course a definite step forward to bring all the communities closer for the common good of the country. No such thing has been brought out in the deliberations of the Round Table Conference. Although it is said that the Indian Central Committee's Report and the Simon Report are back numbers now, it is always very good to search back numbers and take the good points from them. This was a step which the majority of the Indian Central Committee thought would bring both the communities together. Sir Ramaswami Ayyar of course advanced a very pathetic appeal to the youngsters of India to work for this unity. Let me submit for his consideration that the community to which I have the honour to belong submitted a memorandum to the Simon Commission at Lahore in their own province the signatories of which were not youngsters, but elders like Sir Sardar Sunder Singh Majithia and my humble self, if I can be considered an elder because of my grey beard—we had put in very plainly in that memorandum that if the Muhammadan community were prepared to forego the system of separate electorates and

[Sardar Bahadur Shivdev Singh Uberoi.]

separate representation the Sikhs would also follow them because the Sikhs consider it a drawback in the advance of constitutional government in India. I think myself and other friends who have signed that memorandum are still sticking to that principle and I beseech.....

**THE HONOURABLE NAWAB KHWAJA HABIBULLAH :** On a point of information I wish to know what the Sikhs called themselves in the last Census Report.

**THE HONOURABLE THE PRESIDENT :** Order, order. If the Honourable Member wishes to interrupt, he must rise in his place.

**THE HONOURABLE SARDAR BAHADUR SHIVDEV SINGH UBEROI :** We still stick to what we have submitted in our memorandum, but at the same time I beseech my Muhammadan friends here on the floor of this House that they should also consider this question from the general, broad, point of view of the welfare of the country. After all, we have to live in this country as brothers and kith and kin, and we must sacrifice our personal interests for the interests of the whole. Let us hope that Mahatma Gandhi after having settled the first preliminary points with His Excellency Lord Irwin will devote all his attention to bringing about this unity. But whilst I am wishing all this, I must be plain and I think I should be lacking in the duty which I owe to my community, if I do not say that. If this system of communal representation by separate electorates is to be maintained in the future constitution of India in any form or in any province, my fellow Sikhs will stick to their guns and demand their full right in the province in which they were rulers before the advent of the British ; and I must tell you without meaning any threat to any side, whether it is the Treasury side or the side of the representatives of the people, that if there is no peace in the Punjab, India should not dream of any peace altogether. Punjab is the gateway of the whole of India and it is the Punjabis and the Punjabi Sikhs who would keep the Red Shirts outside the border. So do not get the Punjabis, especially the Sikhs, to be discontented. The Sikhs pay a very heavy sum—more than the proportion of their population—to the Treasury of the Punjab Government. They pay 40 per cent. of the land cesses, etc. ; they claim that they were the rulers before the British took the Punjab. They also claim that they are equally advanced with any community for the democratic form of government. They are not a community only of warriors as is generally known in the world, but they are a community of letters also. In the last 25 years they have developed their educational programme in the community to such an extent that they manage more than 300 schools in their own province, where there are only 25 or 30 lakhs. They manage and finance two first grade colleges and about 60 high schools and they are so democratic and broad-minded that those schools are open to the children of the soil without regard to class or community. The Sikhs whilst agreeing to the abolition of the system of separate electorates if Muhammadans agree would very much like that their claims should be properly considered. Of course, they would be in their places to fight for their claims, but I wish that that fight may be fought in a brotherly and affectionate mood. Give and take should be the principle to be adopted for settling these points, but I would repeat that point again, Sir.....

**THE HONOURABLE THE PRESIDENT :** I would ask the Honourable Member not to repeat any thing at this stage. He has exceeded his time limit already. When numerous Honourable Members are anxious to speak still, I am afraid I cannot allow any latitude.

**THE HONOURABLE SARDAR BAHADUR SHIVDEV SINGH UBEROI :**  
I do not wish to trouble the House with anything more.

**THE HONOURABLE RAJA RAGHUNANDAN PRASAD SINGH** (Bihar and Orissa : Non-Muhammadan) : Sir, in welcoming the splendid achievements of the Round Table Conference it is necessary to say a few words in praise of the Indian delegates. The success of the first session of the Conference, and, indeed the recent Irwin-Gandhi agreement is due mainly to personal contact. Before the Indian delegates went to London there were preconceived notions which were immediately dispelled once the parties were round a single table ; and a warmth of feeling and understanding of the respective points of view took their place. The delegates on their return were determined that this atmosphere should not be lost, and the British Government were equally anxious that the two nations once brought together should not again drift apart. The result was that while Sir Tej Bahadur Sapru and his colleagues were striving, with the result now known, to induce the Congress leaders and Lord Irwin to meet, the British people, on their side, displayed a commendable patience until the result of the conversations at New Delhi were known. My object in mentioning the recent agreement is to draw attention to the fact that it is the very excellent foundation laid by the Round Table Conference that is in the main responsible for the great change that has come over the political situation in India. I respectfully contend that the next session of the Round Table Conference be held in India, possibly in New Delhi, if climatic conditions do not stand in the way. Not only would it be continuing the good work of contact that began in London, allowing the British delegates to see and appreciate the situation in India at close quarters, but the question of expense largely enters in. The saving of money as the result of the New Delhi Conference would be considerable and in view of the present state of India's finances as shown in the recent deficit Budget, I submit that this change of venue would be in every way desirable. A further and very important reason is that Mr. Gandhi has also expressed the view that New Delhi is the best centre for the next Conference, in which, everybody is pleased to know, the Congress delegates will take part. It is therefore in deference to the general wish, and with Congress support, that I make this suggestion.

As the Congress Party is now to send delegates to the Conference it will be necessary to extend the number of members, and I would suggest that the question of membership be gone into at once. In addition to the delegates from the Congress, there are other sections of the community to consider, and I would respectfully suggest that the interests of the landholders be adequately safeguarded by the presence of their representatives at the next session of the Conference. Further, I recommend to the Governor General in Council to take steps to get incorporated in the new constitution a statutory provision to the effect that the proprietary rights of landholders shall not be withdrawn without payment of adequate compensation. Landholders were once the bulwarks of India and they all along have been the supporters of established law and order.

**THE HONOURABLE MR. P. H. BROWNE** (Bengal Chamber of Commerce) : Sir, events are moving so rapidly now that it is very difficult to keep pace with them. It is not so long since we had the Statutory Commission with us, to be quickly pushed into the background by the Round Table Conference in London and now before we have even discussed the affairs of that Conference the whole outlook has become changed again by the recent settlement between His Excellency the Viceroy and Mr. Gandhi. I desire to associate myself

[Mr. P. H. Browne.]

very warmly with the tributes which have been paid to the Round Table Conference delegates on the one hand and to the Viceroy on the other. Sir, I think there is another section of the community which deserves our admiration and congratulations, and that is that large number of men and women who have patiently and steadfastly stood on the side of advance by constitutional means as co-operators in the work of building India's new constitution. With them this must have been a difficult year. It must have seemed to them that whenever Gandhi came forward the whole public stage was given up to him and that no attempt was made to hearten those who were resisting the temptation to follow the popular cry. In my opinion those men and women deserve the fullest recognition and congratulation, and I gladly take this opportunity of paying tribute to them. Now that a settlement has been arrived at, let us hope that Government will turn some of their attention towards these steady and sturdy co-operators. Sir, this settlement is only a beginning. It is far from being the goal itself. Whether this opportunity is fully used rests very largely with the Indians themselves, but we Europeans are more than ready to help them to make the best use of it. As was said in another place a few days ago, there are no such words as non-co-operation, boycotting or even picketing in our political vocabulary, and we should not be in the Councils now if we did not realise an obligation to help in any way we can the political advancement of India on safe and wise lines. The position as regards non-official Britishers in India is very simply stated. While closely interested in the whole constitutional question their chief concern is with two points—the position of minorities and the position of British commercial interests in India. Minorities must be safeguarded, and I am not thinking only of Europeans but of Muslims, Sikhs and all the other minorities. Europeans cannot agree to any constitution in which the interests and rights of *all* minorities are not adequately safeguarded. Among the interests of Britishers in India are our great commercial and industrial interests. Now on that point all that the British commercial community ask for is absolute equality of treatment. We want the same rights as we have now, the same rights as Indians have in England. As Sir Hubert Carr said at the Round Table Conference, those rights are not open to negotiation. We ask for no favour or preference, no weighing of the scales on either side. We cannot agree to be treated as foreigners. We are no more foreigners in India than Indians are in England. As a European Member in another place pointed out recently in a very able speech, we Britishers in India have now certain civil rights. We have the right of voting and the right of representation. Those rights carry with them obligations which we appreciate and do our best to fulfil. We try to take our full share in the working of the country by sitting in Corporations and Councils in the Provinces and in both Houses of the Central Legislature and in their Committees. Surely it would be entirely illogical now if you are to say to us, "You may have full civil rights, your voting and your representation, but your commercial rights must be strictly limited". Sir, adequate safeguards must be an integral part of the new constitution and it is on that condition that the European delegates at the Round Table Conference supported the great constitutional advance which was there foreshadowed. As the Prime Minister pointed out, safeguards are not peculiar to India, they exist in every constitution and what we have got to do is not to keep them out of the constitution but so to work together in India that they need never be exercised. More than one speaker at the Round Table Conference and elsewhere has claimed that good-will is the best safeguard of all. That, Sir, remains to be proved. But, in any case, the good-will *must* be reciprocal and mutual. The Round Table Conference delegates must fully realise that the original



declaration of 1917, the Viceroy's announcements, His Majesty the King's presence and speech at the Round Table Conference are all genuine expressions of good-will. And, Sir, could any man have shown more patiently and consistently his good-will to India than His Excellency Lord Irwin? But, Sir, it is obvious that there must be reciprocation in this good-will, and I cannot honestly say that India has yet given any great indications of reciprocity in this respect. I appeal to my Indian friends to give more definite proofs of their good-will in all directions. Let the Hindus show more good-will to the Mussalmans and the Mussalmans react with more good-will to the Hindus, and let Indians in general show more good-will to their British friends. It is now up to India to settle her communal differences, and we are ready and willing to co-operate with them in forming a great federated Dominion of India.

THE HONOURABLE MR. M. D. DEVADOSS (Nominated Indian Christian): Sir, we are very grateful to those who took part in the Round Table Conference and brought about such splendid results. The European delegation, the Princes, and others who went from here have done very good work and their work has been justly praised. But, Sir, above all, our thanks and our country's gratitude are due to His Excellency the Viceroy who made the assembling of the Round Table Conference possible. By his untiring efforts he has been able to achieve what any other man could not have achieved. Lord Ripon on a memorable occasion in justifying his policy quoted the well-known verse from the Proverbs, "Righteousness exalteth a nation". If there was a Viceroy who strove to translate that maxim into practice, it is Lord Irwin. To-day the name of England is held in greater esteem than it ever was before, and what has been done is only an earnest of what is to come, and all the credit must be ascribed to the great Christian man who, through good report and evil report, swerved not one inch from the path of righteousness. His Excellency has been able to erect a noble structure of good-will and esteem between India and England.

Sir, I do not want to canvass all the questions raised before the Round Table Conference. I will confine myself to a few of the safeguards. It has been urged that the communal question is a very difficult one to settle. To my mind it is not so. There are different communities and different interests and it is best to satisfy them, and thereby bring about peace. Because men come from different communities, it does not follow that if they come to a Council like this or an Assembly like the one next door, they will be quarrelling here. Unfortunately in this country there have been barriers erected by social, religious and other restrictions which have kept the different communities apart, and it is wise statesmanship now to take note of the present situation and satisfy the claims of all. Sir, the community which I have the honour to represent is for Dominion Status and nothing less. But at the same time it is for its representatives being sent to the various Legislatures by its own constituencies. The Statutory Commission recommended reservation of seats. That, on the face of it, is unworkable. It is unnecessary for me to go into that matter at length as my time is short. I will only mention this. Supposing in Madras the Legislative Council is to consist of 200 members, and after excluding special constituencies like the Senate and the Chambers of Commerce and so on, say there will be left 180 seats. How would you distribute the Christian seats, which may number 12, among the 180? If that is not possible, would you divide the 25 districts, into which the Madras Presidency is divided, into 12 constituencies for the purpose of electing 12 Christian representatives to the Council? In this connection, Sir, I wish to say that the Depressed Classes should not be classed with the Hindus. In the Madras Presidency they number about 10 million, speaking from collection, according to the last census, and their customs and manners are different

[Mr. M. D. Devadoss.]

from the rest of the population. They feel that unless they are represented properly their case would suffer. No doubt they are classed as Hindus generally. But considering that they are kept out of temples, tanks and other public places—I do not want to irritate anybody—it is not fair to label them Hindus for the purpose of election and other things. Sir, above all these things, above the question of mere representation in the Legislatures, there is the important question of the representation of the various communities and interests in the public services. No doubt in theory all the services are open to all classes of the King's subjects, but in practice unfortunately, it is not so. Till now we had the European element in the services to see that there was fair play. The Civil Service has done splendid work in India and it has always tried its best to see that no injustice was done to any section of the people on account of religious intolerance or communal bias. Sir, I am thinking of a time when this element will probably come to almost a vanishing point. At that time there must be something which would prevent the clash of interests and the creation of trouble in the country. The only way of preventing that is by a statutory provision that important classes should have only a certain percentage in the services, and that provision should apply to each cadre in the service. Otherwise the community which has got points of vantage may take all the higher offices and give a few of the lower and inferior posts to other people and say that the rule has been satisfied. No doubt this statement of mine would raise a good deal of opposition on the ground of efficiency and it will be said that I am introducing communalism. It is not communalism to claim for each community its legitimate share in the public services. It has its contribution to make, and it has also its expectations of reward from the public services, and that being so, it is not right to say that because a person claims a share in something to which he is entitled, he is putting up a communal claim. Again, as regards efficiency, there are people in all the communities who would fill worthily almost all the places in the public services. The evils of merely theorising on a matter like this may not be apparent now. The trouble may come 20 or 30 years hence when probably Government will not be in a position to meet it. In order to prevent that, I think, Sir, one must be long-sighted enough to see what might be the consequence in the future and to provide against it. I think in my humble opinion there should be a provision in the Statute itself that only a certain percentage of offices—the maximum should be prescribed—may be given to any particular community.

Another safeguard which I would wish to press upon the attention of the House so that it may be accepted by the Conference is this, that the recruitment to the Army must be from all the provinces in India. It is not right and it is not safe that the recruitment should be only from one province or from one section of the people, or from men of one way of thinking. At present we have the British element, both in men and in officers, whose presence would prevent any improper combination. But, Sir, the time may come when the British element may not be powerful in the Army, and if at that time some adventurer were to gain great influence over the Army it might be that the civil Government would be in danger. It is not necessary for me to take up the time of the House by referring to various examples of military dictatorships. Some people might say, "Well, the stalwart races are in the north, we cannot find proper men in the south for recruitment in the Army". Sir, that argument cannot hold water now. Strength of muscle and weight of body do not count for very much in modern warfare, because sometimes in a big battle the armies do not see one another and everything depends on the equipment, and I am thinking of the time when battles will probably be fought and won in

the laboratories of the chemist and the physicist ; that being so the mere weight and the height of a soldier would not count for much in years to come. Therefore the suggestion that there will be a loss of efficiency if recruitment is made from other races would not hold water. Then there is the other question, namely, the keeping up of the martial spirit. Sir, by not enlisting people in the Army, people who have been accustomed to serve in the Army lose all interest in the Army and their martial spirit also flags. In this connection I will read a passage from the report of the Madras Government on the recommendations of the Statutory Commission, page 18 :

“The Government of Madras would remind the Government of India that the pre-eminence of the Punjab and the United Provinces as recruiting grounds for the army is comparatively recent, and has been a natural consequence of the gradual reduction of the old Madras army till there are now only three Madras regiments left. The Madras army has a fine record of gallant and loyal service, and military traditions are still strong in many parts of the Madras Presidency. If the North India recruit is admittedly superior in physique, the Madrasi claims superiority in intelligence, which is likely to count for more in the future than it has done in the past.

The Government of Madras consider that the interest of the Province demands that the military tradition and the proved military capacity of the Madrasi should be recognised by the restoration of the old Madras regiments. So long as the army is an Imperial concern, it is obviously desirable that it should be associated by recruitment with as wide an area as possible ; and the revival of the Madras regiments may also help towards the attainment of the goal mentioned in Volume II, paragraph 211 of the Report, the possession by a self-governing India of military forces of its own : for the fact that at present such an overwhelming proportion of the army is recruited from the Punjab and the United Provinces is one of the obstacles to the formation of an Indian National Army on which the Commission has laid stress.”

Sir, one other reason for recruitment in the other provinces is the economic question. By recruitment in various parts of India the people in those parts are benefited. And also by having Cantonments in different parts of India those parts are benefited. When different parts of India are making their contribution to the Imperial Exchequer it is right and proper that those parts also should be benefited by its expenditure.

THE HONOURABLE MR. G. A. NATESAN (Madras : Nominated Non-Official) : Sir, I must confess I was somewhat disappointed at the manner in which this subject was introduced this morning by my friend Sir Sankaran Nair, and after all the apologies of my Sikh friend for his colleague, the Chairman of the Central Committee, I am more inclined to share the regret expressed by Sir C. P. Ramaswami Ayyar and by Sir Phiroze Sethna that, instead of attempting to judge this very important report by its main conclusions, Sir Sankaran should have attempted to judge it by taking certain points which we know have always been points of difference. If my Honourable friend Sir Sankaran Nair will forgive me, it was with great pleasure that I read the report in the Associated Press of an interview which he gave to them as soon as the conclusions of the Round Table Conference were published. That interview read something like this—I am only quoting from memory. It said, “Great step in advance over the existing system and I do hope our countrymen will accept it and work it in good spirit”. I speak subject to correction. Sir, I rather fear my Honourable friend Sir Sankaran Nair was unable to appreciate the full implications of the Report of the Round Table Conference, because he was to some extent I fear obsessed by the conclusions of the Simon Commission's Report and the Report of the Central Committee and even the Report of the Government of India. To use the very felicitous language of His Excellency the Commander-in-Chief which he used on another occasion, I think it is a good thing that the Conference which met in London considered

[Mr. G. A. Natesan.]

all those reports as washed out, and the Conference applied itself in an entirely new atmosphere to the consideration of the form of self-government for India. To appreciate at its full worth the significance of the conclusions arrived at by the Round Table Conference you have to remember the tremendously distracted condition of the country before 1929. The very grave situation in the country led His Excellency Lord Irwin to proceed to England and make it clear to the Cabinet at home that the situation in India was getting out of hand, that something should be done to make the people of India believe that Great Britain did not intend to go back on her promises and pledges and that she was determined to find India a place honourable alike to itself and England, to find in fact her proper place in the British Commonwealth. I think no small measure of credit is due to His Excellency the Viceroy for having extracted from the Government at home permission to state publicly and to assure the people of India on behalf of His Majesty's Government that in their judgment it is implicit in the declaration of 1917 that the natural issue of Indian constitutional progress as there contemplated is the attainment of Dominion Status. The only way to judge the conclusions and deliberations of the Round Table Conference is to ask yourself honestly the question whether the conclusions arrived at at the Round Table Conference lead us to Dominion Status or not. Is there anything in them which will take us backward? I think a very close and impartial and honest study of the proceedings of the Conference, the reports of its various Committees, the speeches that have been made available, the Prime Minister's statement and, more than anything else, the debate in the House of Commons, the excellent speech of the Secretary of State for India—all these clearly go to show that those conclusions which have been tentatively arrived at take us onward to the attainment of Dominion Status and not backward. Sir, more than anything else, before the Round Table Conference met in London, there was a feeling of great and deep distrust in the country and a fear and suspicion, very often in my opinion justly founded, that Great Britain was not sincere in its promises. I think the Conference has proved beyond doubt—I am an optimist and I hope to die an optimist—that there is great hope that this will be done. I think great credit is due to the leading representative of the British community in India, Sir Hubert Carr, for stating that the greatest achievement of the Round Table Conference was the restoration of confidence in the good faith of the British people. You must all remember that when the Conference met it was an agreeable surprise not only to us but to the people of England and to the whole world that the Princes who were supposed to be antagonistic to the aspirations of the Indian people were at one with them in demanding Dominion Status for India. More agreeable still was the persistence and unanimity with which the representatives of all classes and communities and all political parties laid stress on the demand for Dominion Status. It is not for me at this time, particularly after the very able and eloquent speeches of my Honourable friends Sir Phiroze Sethna and Sir Ramaswami Ayyar who have done good work at the Conference, to go into details about the conclusions arrived at. Let us remember one or two things. In all these conclusions they have said from time to time that they are open to revision wherever mistakes have been made; they are open to additions wherever additions are thought to be necessary; and I am glad and I am but echoing the words of Mr. Benn, the Secretary of State for India, who, in congratulating His Excellency the Viceroy on his achievement in bringing Mr. Gandhi and his followers to the fold of the Round Table Conference, publicly stated that it means an additional strength to the cause we have in view and opens up a new era of peace and prosperity to this country. There are some in this House

who have talked somewhat sneeringly of Mr. Gandhi's efforts in this direction. It has been one of my rarest privileges to be associated with Mr. Gandhi for many years in the cause of the rights of Indians in South Africa ; and though unfortunately, to our regret and the regret of certain friends of Mr. Gandhi, we have not seen eye to eye in other departments of his activity in public life, no one, Sir, has ever ventured to doubt his honesty and sincerity of purpose, and in all that he has done he has urged nothing but the lifting up of India to its proper place in the British Commonwealth. Anyone who knows him or comes into contact with him even for a minute will realise that though he looks like an idealist and speaks as such, yet there is within him the instinct of the man of strong common sense which enables him to see what is possible and what is not. In one word I may say that he is perhaps as practical as others ; but there is one important difference. Once he is convinced of the justness of his cause, he sticks to it like anything. To him there is no compromise between truth and untruth. Politicians or diplomats cannot always follow this. I have thought fit to make this personal reference to Mr. Gandhi because I think that those who somewhat sneeringly referred to him or to the Congress do not fully realise the gravity of the danger that lies before us or the seriousness of the wrong they are doing to the great, the very manly and honest effort which His Excellency the Viceroy has been making for the last one week to persuade Mr. Gandhi and others to enter the Round Table Conference. It is quite possible that by their entry in some directions we may improve ; it is quite possible that in other points we do not see eye to eye, but if, as I hope and as every one is most anxious it should happen, by their co-operation a scheme is evolved for the future of our country, that means that peace is assured ; that means that all the elements that conduce to make up the politics of the nation will be fully employed in displaying their energies for all that is good and everlasting. Is this not a consummation which we should all hope for ? It may be that even the contrary may happen. But that is nothing new ; that has happened in the history of every country. I therefore venture to make an appeal to all that in whatever they may say or in whatever they may write no expression, no unguarded utterance, may be made which is likely to rake up sores which it is everybody's endeavour, from the Viceroy down to the meanest citizen, to heal. Let us all therefore forget what has happened in the past and remember what has happened within the last one or two weeks and look forward to something great that may be achieved in the future.

**THE HONOURABLE RAI BAHADUR PROMODE CHANDRA DUTTA** (Assam : Non-Muhammadan) : Sir, I do not wish to take up the time of this House by repeating what has been said about the proposals of the Round Table Conference, nor do I wish to refer to the criticisms which have been made regarding them. There cannot be the least doubt that the Round Table Conference has done a very great service to the country. In the first place, it has dispersed the cloud of mistrust and suspicion that was hanging between England and India. I am sure that Britain and India now understand each other better and that is a supreme fact in the evolution of the destinies of India. The second thing it has done is to bring the Congress into the Round Table Conference. This truce between the Congress and the Government would not have been possible but for the labours of the Round Table Conference and the achievements that are to their credit. Thirdly, Sir, it is the Round Table Conference which has obtained, or extorted from the British Government the recognition that India is fit for self-government. We could not say that six months ago and even now there are die-hards who do not believe that India is fit for self-government.

[Rai Bahadur Promode Chandra Dutta.]

As I have said, Sir, I am not going to say anything about the proposals of the Round Table Conference. But there is just one point about which I wish to say a word. That point, I submit, is of vital importance to the provinces. That question is the question of provincial boundaries. I have read the proceedings of the Sub-Committee on Provincial Constitution but it does not seem that they have gone into this matter. I think probably the Honourable Sir C. P. Ramaswami Ayyar will be able to enlighten us on this point. I want to know why it was not done. The Simon Commission have laid great stress on this question. They have said that the provincial areas were never planned with a view to their suitability as units in a federated India as a whole. They specially stress the fact that before the reforms are brought into force, provincial areas should be so adjusted as to be proper and fit for self-government. I am coming from the province of Assam and I ask the indulgence of the House for a few minutes to tell my story. The province consists of over 70,000 square miles of territory, out of which 50,000 are occupied by hills and the hill people number about 10 lakhs. The rest of the province consists only of 8 districts with a population of 65 lakhs. And out of this 65 lakhs, fully 10 lakhs are, I think, coolies in tea gardens drawn from all parts of India, so that we are left with 8 districts with a population of 55 lakhs; and our revenue is only 2 crores and 52 lakhs; that is the actuals for the year 1929-30. Now, the proposal of the Government of India is to separate the hills from the province of Assam and constitute the rest of the area as a separate province. For these hills we have been paying every year about 8 lakhs and for certain other purposes also we are making contributions. Now these hills are being taken away from the province and we have been left with 8 districts. The Government of India have come to the conclusion that readjustments of territories, except Sind and Orissa, must stand over and be taken up by the new administrations. In opposing the Resolution of the Honourable Mr. Hussain Imam, the Leader of the House the other day reiterated the same. I submit, Sir, that this is very wrong. The Government of India will be committing a great blunder if they do so. They are probably frightened by the magnitude of the task. They probably think that there are difficulties in the way and that there is delay involved, but I submit that no question of difficulties or delay ought to deter them from going into that question. It is doubtful whether certain provinces, for instance, Assam, can stand on their own legs as they are. I cannot think of a province of 8 districts with a revenue of 2 crores 52 lakhs being able to maintain an autonomous constitution based on a democratic principle. Democracy is always expensive and the introduction of the new constitution will add to the expense of administering Assam. Where is this money to come from? Then there are demands for the transfer of certain districts to Bengal. There are some who have gone so far as to say that the whole province should be transferred to Bengal. I submit that all these questions—the question of separation of the hills, the question of the transfer of certain districts and the question about the transfer of the whole of Assam to Bengal ought to be considered by the coming Conference. These questions were not taken up in the Sub-Committee on Provincial Constitution probably because Assam's representation was inadequate. I hope that in the coming Conference Assam will be more adequately represented so that all questions affecting her might be brought up and discussed.

THE HONOURABLE MAJOR NAWAB SIR MAHOMED AKBAR KHAN (North-West Frontier Province: Nominated Non-Official): Sir, I do not agree with those friends of mine who want to belittle the work done by our

delegates at the Round Table Conference. At the time when the delegates from India went to England we were all very doubtful as to the results to be achieved. These members came in contact with English statesmen and cleared the atmosphere. It is pleasing to see that three members of the Round Table Conference were responsible for bringing together Mahatma Gandhi and His Excellency the Viceroy. The whole of India is deeply grateful not only to these three gentlemen but also to the inexhaustible and indefatigable efforts of His Excellency Lord Irwin in bringing round Mahatma Gandhi to his viewpoint. I therefore think, Sir, that we cannot say that the members of the Round Table Conference spent their time in dinners and other enjoyments. Personally I think that they did some solid and good work.

I wish to take this opportunity of saying something about my own community and more about my own province. As regards the Muhammadan community, we will be quite willing to work with the major community amicably and peacefully and are willing to see the advance of India. But at the same time we do want some very very effective guarantee that our rights are not interfered with, because we Muhammadans are only one-third of the total population of India, the majority being Hindus. We do want some very effective guarantee not only from the Hindu community but from the Government as well that in future there will be no more interference with our religion, there will be no more interference with our rights, with our customs and particularly with the Muhammadan Law. As an instance, I might cite, Sir, the recent enactment—I refer to the Sarda Act—which was passed in the teeth of Muslim opposition, passed in spite of the fact that we Muhammadans tried our level best to convince the Legislature that it was not acceptable to us. I may say that the Pathans of the North-West Frontier Province will ordinarily put up with anything, but if the people in the Central Legislature force something on them which restrains their religious liberties they will not put up with it but will resent it most strongly. I must tell the House plainly that whatever might happen we would not have our religious liberties restrained by anybody. We want a definite guarantee about that.

The second thing that I wish to say something about is this : The Pathans are all landowners ; no Pathan can call himself a Pathan unless he has got some share in landed property. At present we are under the Central Government, but if we join in the suggested Federation we want that that Federation should give us some guarantee that our present land-owning system—and especially our connection with our tenants—would remain the same as it is to-day. I refer to this because in the Congress Camp there is always some talk about Bolshevism and its ideals. Might I say to the members of the Congress as well as to His Majesty's Government that we want some guarantee about our rights, our status and our connection with our tenants ? It was only the other day, Sir, that it was announced in the papers that the Secretary of the Zamindars' Association of the United Provinces saw Mahatma Gandhi and enquired from him as to what treatment they as landowners could expect from him. Therefore, Sir, the people of the North-West Frontier Province would like to know before coming into the Federation what sort of treatment we are likely to get from the Federal Government ; and if we are given some effective assurances on the two points that I have mentioned, I do not think that the people of the North-West Frontier Province will hesitate to join the Federal Government. As I said, Sir, my province is now under the Central Government who have appointed a Committee to report on the Reforms to be given to us, and until the report of that Committee is out I cannot say anything as to the attitude we will take. But after going through the report

[Major Nawab Sir Mahomed Akbar Khan.]

I will be in a position to say something about the merits or the demerits of the Committee's recommendations.

With these words, Sir, I resume my seat.

**THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT** (Bombay : Non-Muhammadan) : Sir, I have to express my gratitude to those who have participated in the Round Table Conference and tried their best to bring about the good results in settling the difficult problems that have confronted India since long.

It is now, I think, with us,—I mean the different communities—to come forward with joined hands for the betterment of the whole nation and try to forget the so-called differences. The Indian intelligentsia in participating in the Round Table Conference did their best, as I have already said ; His Excellency the Viceroy did his best to bring about the present result ; that we all know ; so I hope all the communities would now combine for the national good.

I do record, Sir, my gratitude to His Excellency the Viceroy for the strenuous efforts His Excellency took during the fresh settlement with Mahatma Gandhi. I have simply to request the House, that, at the time when the question of minorities would be considered in the next Round Table Conference, the question of proper representation of the landholding classes should also be taken up and considered favourably. The Bombay Government in their despatch to the Simon Commission have expressed their opinion in giving proper representation to the landholders and I hope this House and the Government of India would also help in giving proper representation to the landholders in the new constitution.

With these words, Sir, I again express my gratitude to His Excellency the Viceroy and the Indian gentlemen and Princes who participated in the Round Table Conference.

**THE HONOURABLE KHAN BAHADUR CHAUDRI MUHAMMAD DIN** (East Punjab : Muhammadan) : Sir, the Indian delegates to the Round Table Conference wisely selected from all communities by the Government of India sat round the table and stated their claims, hopes, fears and expectations. Sub-Committees were set up, their reports were submitted and the greatest measure of agreement was "noted". The declaration was made by the Prime Minister "that responsibility for the Government of India should be placed upon Legislatures, Central and Provincial, with certain safeguards for meeting the needs of the transitional period." The Conference has been a great success, thanks to the patriotism of the Indian Princes and the valuable lead and help rendered by the British representatives to the Conference. In the words of Begum Shah Nawaz the delegates have returned "with a wealth of confidence and trust". A sense of responsibility has after all been awakened in the minds of those of our countrymen who were deliberately following the courses of resistance, obstruction and destruction. There has been a change of heart and the recent peace agreement is a monument to British and Indian statesmanship. India owes a deep debt of gratitude to Lord Irwin for bringing this welcome result and the Viceroy must be congratulated on his splendid achievement. I am also proud to think that a distinguished civilian, who originally belongs to my province, has contributed so much towards that end, and let me say in justice to the much abused bureaucracy that it is due to the constructive work done by the Indian Civil Service during the last 150 years



that we are now to get an opportunity for self-determination within the British Empire. To destroy is easy, to construct is difficult. And now, Sir, comes the stage of the test, the great test, of our ability to remove obstacles and to bring that unity among the different classes and creeds, which is so essential for the building up of a new constitution. We must admit that our delegates even in that atmosphere of good-will and hospitality failed to find a solution of our communal trouble which is the stumbling block in the constitutional growth of India. Much spade work, however, has already been done by the combined efforts of British representatives and Indian delegates. The ground is now ready. The great Guru has said :

*"Karam dharti sharir jug jo hove so kat  
Kaho Nanak dharam sohen daware man mukh sada mawat."*

Guru Nanak says :

"Whatever a man sows, that shall he also reap, and there is no way to escape it in this world. Selfish people have no place in God's house."

The Prime Minister in the final session of the Round Table Conference observed as follows :

"In the opinion of His Majesty's Government it is the duty of the communities to come to an agreement amongst themselves on the points raised by the Minorities Sub-Committee and not settled yet."

Sir, here is the most difficult task for us. If we rise to the occasion and practically prove our fitness for the building up of a constitutional structure, we shall have achieved something by contributing our share to the success of the great world experiment for the establishment of universal peace. But if we fail to settle between ourselves amicably and are unable to put our house in order we shall forfeit all claim to patriotism and nationalism. The settlement must be reasonable, practical and just, and must be fair to all. A little defect might wreck the whole structure. We have a great responsibility. We rise or fall together. In 1925, on my way from London to Torquay, I met a Jewish gentleman. The Jews are a minority community in England. He told me that his community felt as secure in England as the Christians and there was no differentiation or hatred whatever. I believe our friend Mr. Raja felt himself more at home in England than in his own mother country. Let us construct a house in which all members of the family may feel equally secure and comfortable. There are precedents of the safeguards for minorities in countries like Poland, Roumania, Albania and many others. Let us in a brotherly spirit prepare ourselves for the great task that awaits us, so that India may have its fitting place in the British Commonwealth. Let us drive away all thoughts of severing our connection with England. The forces of hatred will then be defeated and the triumph of the forces of union will be assured.

"Only to thine own self be true and it must follow as night the day, thou canst not then be false to any man."

**THE HONOURABLE DIWAN BAHADUR G. NARAYANASWAMI CHETTI** (Madras : Non-Muhammadan) : Sir, in rising to make a few observations about the Round Table Conference I must in the first place acknowledge on behalf of the constituency which I have the honour to represent and on my own individual behalf the deepest obligations of the country to the ceaseless exertions of His Excellency the Viceroy in bringing about this Conference. It is hardly necessary for me to go into the history of formation of this Conference. The Report of the Simon Commission indicated a federal form of government and consequently also the establishment of responsibility in the

[Diwan Bahadur G. Narayanaswami Chetti.]

Central Government. I am glad to note that in India's attempt to achieve responsible government the British nation showed great sympathy and the party in power lent its support. The Conference proved in spite of fears and misapprehensions a great success and suggested a course of constitutional progress in framing a constitution suited to the genius of the people of India and that is the federal basis for constitutional progress. If the Indian Princes had not taken a patriotic and genuine interest in the future of India as a whole, it is needless to say that the Federation of India could not have been realised. We owe it to the courage and public spirit of the Indian Princes that they came forward to make a substantial contribution to the cause of constitutional development in India, the value and importance of which can be easily foreseen. I realise and am willing to grant that there are difficulties in the way of a federal structure being raised all at once with such component parts as British Provinces and Indian States. This proposal is to leave each independent in internal affairs to be settled by themselves without one side or the other interfering with one another. To this extent the federation may have its weak side and a strong side as well. But we have to recognise that this is only a basic plan on which the federation should be raised for the moment. Any other method would only be calculated to endanger the prospects of a federation coming into existence. We are sure that having come to know each other, British India and Indian India will be prepared to make the scheme of federation in time to come a greater reality than it may seem at present. I daresay that it is only when we make up our mind to work together in the new scheme, we would be in a position to experience the difficulties that lay in the path. Thereafter we would be naturally in a better position to understand how to overcome them. There are however three essential problems to be solved in order to make the federal form of government a reality: (a) unity among all classes and communities, (b) security and the protection of the minorities, and (c) a clear definition of safeguards. The Depressed Classes must have adequate protection and a separate electorate for themselves. Any constitution which does not provide for these is bound to be a failure. I hope these matters will be fully dealt with in subsequent stages. Before closing I would refer to the marvellous achievement of peace in the country by the untiring efforts of His Excellency Lord Irwin.

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD (United Provinces Northern : Non-Muhammadan) : Sir, there may be differences of opinion as regards the results arrived at at the Round Table Conference. Some may think that they are quite satisfactory, while others may hold that they are not. In some quarters the fear has been expressed that the recommendations of the Conference go too far, whereas in others the belief has been expressed that they do not go far enough. But there can be no two opinions about the earnestness of purpose with which the task was handled by the delegates, Indians and Britishers alike, which has resulted in bringing out something which must prove a good and useful foundation for future discussions. I, for one, would not call the labours of the Conference a negligible achievement. One achievement of the Round Table Conference which appeals to my mind more than any other is that the forceful advocacy with which India's case was presented at the Conference has helped in educating British public opinion and in winning world opinion in our favour. And this fact will be clearly borne out by a comparison of the debates that took place in the House of Commons after Lord Irwin's announcement of November, 1929 with those held in connection with the Round Table Conference recently. Then, if we

just read the comments that appear in British journals and those of other countries we find that a tremendous change for the better has on the whole taken place in British and world public opinion so far as India is concerned.

Now, Sir, the main recommendations of the Round Table Conference are : a federal constitution, responsibility at the centre, provincial autonomy, establishment of an Indian Sandhurst and Indianisation of the Army, and certain safeguards for the transition period. As regards the principle of responsibility at the centre, provincial autonomy and establishment of an Indian Sandhurst, I think there is practically a unanimity of opinion in the country that these constitute an advance on the present. But grave doubts have been expressed in responsible quarters about the utility of the principle of federation and as to the safeguards that have been considered necessary for the transition period. Sir, to my mind the misgivings entertained in some quarters in regard to the principle of federation are more or less illusory. As my friend the Honourable Rai Bahadur Lala Ram Saran Das said in the course of his speech, when the Indian delegates left for the Round Table Conference nobody thought that the Princes would so readily fall in with the idea of federation of British India with the Indian States. Some read in this a sinister move. They suspect that the Princes or their nominees in the Federal Legislature, not being elected representatives of the peoples of the States, would only mean replacing the official block in another form and, being conservative by nature, would prove a stumbling block in the onward march of India towards its cherished goal. I, personally, do not agree with such gloomy forebodings. I think the Princes have really been actuated by the sincerest of motives in taking this step and have shown their true sense of patriotism for our common mother country. In my opinion the representatives of British India are likely to derive benefit from the practical experience of the Princes or their nominees in matters of actual administration and to some extent in military affairs, while the States may feel the necessity, on the impact of our association with them, of liberalising their own administrations on democratic lines. So each is sure to exercise a healthy influence on the other in the proposed federal constitution. Sir, it is not altogether right to think that the Indian States are conservative and backward in every way as compared with British India. I will not tire the patience of the House by citing figures but will point out that in some respects some of the Indian States are far more advanced than British India. For example, in the matter of percentage of literacy, Travancore, Cochin and Baroda are far more advanced than British India ; and in the matter of general administration Mysore is more economical though not less efficient. So, in my opinion federation of British India and the States should prove beneficial to both and ought not therefore to be looked upon with suspicion or disfavour.

Now I will refer to the communal question. Some of my Honourable friends have emphasised the necessity of the protection of minorities. Sir, I entirely share the view that the interests of minorities should be safeguarded. But my Honourable friend Sir C. P. Ramaswami Ayyar has already made it clear in his speech that the Indian delegates to the Round Table Conference subscribed to the principle of federation in the hope that a satisfactory agreement between the majority and minority communities in India would hereafter be reached, and that should set at rest all doubts that might be lurking in the minds of some of my friends. I am an optimist, Sir, and I have every hope that a satisfactory solution of the communal problem will be reached before long at the forthcoming Round Table Conference.

Then, Sir, I join my friends the Honourable Raja Raghunandan Prasad Singh and Sardar Shri Jagannath Maharaj Pandit in appealing to Government

[Rai Bahadur Lala Jagdish Prasad.]

to safeguard the interests of landholders in the coming constitution. There is a feeling abroad that the landholders were not given an adequate representation in the last Round Table Conference held in London and I hope that they will be given an adequate representation in the forthcoming Conference that is going to be held in India.

Now, Sir, I come to the question of safeguards. It is no doubt true that the proposed reforms, circumscribed by so many safeguards in respect of finance, external relations and defence, etc., give rise to a feeling of suspicion at first sight. But much depends on the spirit in which the safeguards are to be worked ; and if they are worked in actual practice in the spirit of the speech of the Premier made in the House of Commons in this behalf, then I would say that much of the suspicion should be allayed. In the course of his speech, Mr. Ramsay MacDonald said :

“ It is meant simply to be latent in the background and we impressed upon the Indians who were here that on no account were they to allow Indian opinion to assume that it was going to be an active power exercised by the Governor General, but that the less it was used, and if it were almost forgotten, the better would Britain be pleased with regard to the success of the working of the constitution.”

Then, Sir, further he goes on to say :

“ There will be certain reserved subjects for the time being and there must be certain safeguards and most unfortunately in enumeration of safeguards which must be done, the substance of safeguards and activity of clauses enumerated will give them importance which as a matter of working fact, they will never have unless the whole constitution is going to break down.”

I think, Sir, the final word has not yet been said on the question of safeguards. They are, so far as I understand, open to further discussion and examination at the next Round Table Conference which is going to be held in India, and it may be hoped that as a result of future discussion an agreement may be reached satisfactory to all. Safeguards are necessary in every constitution. And now that it has been assured by His Excellency the Viceroy that the proposed reservations and safeguards will be in the interests of India, and when the untiring efforts of the two great personages of India and England—Mahatma Gandhi and Lord Irwin—to come to a truce have borne fruit in the shape of a satisfactory settlement being arrived at between the Government and the Congress, there is no reason why all suspicion should not be dispelled and a spirit of good-will should not prevail, and why we should not, as a result of the forthcoming Round Table Conference to be held in India, hope for the evolution of an agreed and workable constitution for India, bringing in its turn an era of peace, progress and prosperity for the country.

THE HONOURABLE SIE SANKARAN NAIR : I beg leave to withdraw the Resolution.

The Resolution was, by leave of the Council, withdrawn.

The Council then adjourned till Eleven of the Clock on Wednesday, the 11th March, 1931.