

LEGISLATIVE ASSEMBLY DEBATES

TUESDAY, 12th MARCH, 1929.

Vol. I—No. 27

OFFICIAL REPORT



CONTENTS.

Questions and Answers.

The General Budget—List of Demands—*concl.*

Demand No. 28—Executive Council—*concl.*

The Present System of Administration of the Government of India—*concl.*

DELHI
GOVERNMENT OF INDIA PRESS
1929

Price Five Annas.

CONTENTS—*contd.*

PAGES.

Wednesday, 6th March, 1929—

Questions and Answers	1671-78
Unstarred Questions and Answers	1578-89
Election of the Panel for the Central Advisory Council for Railways	1689
Election of the Standing Finance Committee for Railways	1690
The Indian Tariff (Amendment) Bill—Introduced and Passed...	1590-93
The Transfer of Property (Amendment) Bill—Introduced and Referred to Select Committee	1599-1604
The Transfer of Property (Amendment) Supplementary Bill—Introduced and Referred to Select Committee	1604

Thursday, 7th March, 1929—

Short Notice Question and Answer	1605-06
Statement of Business	1607
Election of the Standing Finance Committee for Railways	1607
The General Budget—List of Demands— <i>contd.</i>	
Demand No. 18—Salt—	1607-53
Possibility of making India self-supporting in respect of Salt Supply	1607-53
Demand No. 35—Finance Department— <i>contd.</i>	1653-54
Borrowing Policy of the Government of India	1653-54

Monday, 11th March, 1929—

Questions and Answers	1655-1700
Unstarred Questions and Answers	1700-13
The General Budget—List of Demands— <i>contd.</i>	
Demand No. 35—Finance Department— <i>concl'd.</i>	1713-36
Borrowing Policy of the Government of India— <i>concl'd.</i>	1713-36
Demand No. 28—Executive Council	1736-55
The Present System of Administration of the Government of India	1736-55

Tuesday, 12th March, 1929—

Questions and Answers	1657-78
The General Budget—List of Demands— <i>contd.</i>	
Demand No. 28—Executive Council— <i>concl'd.</i>	1728-1842.
The Present System of Administration of the Government of India— <i>concl'd.</i>	1778-1842

Thursday, 14th March, 1929—

Questions and Answers	1843-46
Statement of Business	1846
The General Budget—List of Demands— <i>contd.</i>	
Demand No. 38—Army Department—	1846-1901
Entire Army Policy and the Establishment of Military Colleges in India	1846-59
Indian Medical Department	1859-62
Pensions of I. M. D., I. M. J., and I. U. L. Officers who retired between 1919 and 1927	1862-66
Temporary I. M. S. Officers	1866-72
Exclusion of Burmans from the Army	1873-1901

LEGISLATIVE ASSEMBLY.

Tuesday, 12th March, 1929.

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

QUESTIONS AND ANSWERS.

COMPLAINTS AGAINST ORDERS OF THE SUPERINTENDENTS OF POST OFFICES IN THE RANGPUR AND FARIDPUR DIVISIONS.

1015. *Mr. S. C. Mitra: (a) Has the attention of the Government been drawn to the correspondence published on pages 258 and 259 of the *Labour* of September 1927, under the heads "Rangpur Division", "Bolt from the Blue" and "Faridpur Division"?

(b) What action do Government propose to take in regard to the orders of the Superintendents which are complained of?

Mr. H. A. Sams: (a) Yes.

(b) Government do not consider that any action is called for.

REPORTED GRIEVANCES OF THE STAFF OF THE POST OFFICE AT MUNSHIGUNJ.

1016. *Mr. S. C. Mitra: (a) Has the attention of the Government been drawn to the article published on page 800 of the *Labour* of October, 1927, under the head "The Sweated staff of the Munshigunj Post Office"?

(b) Will Government please state what action was taken thereon, or what action they propose to take in the matter?

Mr. H. A. Sams: (a) Yes.

(b) The matter was referred to the Postmaster-General, on receipt of whose reply any necessary action will be taken, and the result will be communicated to the Honourable Member.

APPOINTMENT OF VAN PEONS IN ALL MAIL VANS.

1017. *Mr. S. C. Mitra: (a) Is it a fact that van peons have not been sanctioned in all the mail vans in the Railway Mail Service sections?

(b) Is it a fact that the sorters of some sections have to do menial work, such as sweeping of vans, closing of mail bags, etc., in addition to their duties?

(c) Will Government please state if it is a part of the duty of a sorter to do menial work as well?

(d) If not, do Government propose to issue orders for the appointment of van peons in all the mail vans?

Mr. H. A. Sams: (a) Yes.

(b) and (c). Sorters are not required to sweep vans. The work expected of sorters is not menial work.

(d) No. In some sections the work is not onerous enough to require the assistance of van peons.

TRANSFER TO CONTRACTORS OF THE TREASURY WORK OF POST OFFICES.

1018. ***Mr. S. C. Mitra:** (a) Has the attention of the Government been drawn to the notification published in the newspapers, over the signature of the Postmaster General, Bengal and Assam Circle, calling for tenders from contractors for transacting the treasury business of some important post offices in Bengal and Assam?

(b) If the reply to part (a) be in the affirmative, will Government please state the reason for which it is thought expedient to transfer the treasury work of post offices to contractors?

(c) Did the Postmaster General obtain sanction from Government for publishing the notification?

(d) Have Government received tenders from any contractor? If so, will Government please furnish a statement showing the rates demanded by contractors and the actual costs incurred on Government treasury work transacted under the old system?

(e) Are the existing treasurers and treasurers' accountants permanent Government employees? If so, how will they be provided for after transfer of the treasury work to contractors?

The Honourable Sir Bhupendra Nath Mitra: (a) Government are aware of the invitation to tender for the performance of treasury work at important post-offices in the Bengal and Assam Circle on contract which has been published by the Postmaster-General. The call has been issued in pursuance of the policy of the Department, which has the approval of Government.

(b) The contract system confers greater security to Government against loss than is possible from the employment of departmental treasurers, and is, generally speaking, less costly. I would, in this connection, invite the attention of the Honourable Member to paragraph 4 of the Proceedings of the second meeting of the Public Accounts Committee on the 6th August 1927.

(c) The Postmaster-General acted by the express direction of the Director General.

(d) No tenders have yet reached the Director General. The statement asked for in the second part of the question cannot therefore be supplied.

(e) The answer to the first part of the question is in the affirmative. The reply to the latter part is that all pensionable officials employed as treasurers, or treasurers' assistants, who are fit for other departmental work, will be absorbed into the various departments of the Post Office. Officials, who cannot be so absorbed, and are eligible for pension or gratuity, will be retired, and compensatory pensions or gratuities will be granted to them under the ordinary rules.

COST OF CONVEYANCE OF MAILS OF THE CALCUTTA GENERAL POST OFFICE AND TOWN SUB-OFFICES.

1019. ***Mr. S. C. Mitra:** (a) What are the terms of the agreement entered into between the Government and Messrs. Garage and Co. for conveyance of mails of the Calcutta General Post Office and the Town Sub-Offices?

(b) Will Government please furnish a statement, showing the amounts paid to Messrs. Garage and Coy., for conveyance of mails during the year 1927-28, and the expenditure incurred for the same work during one year previous to the transfer of mail conveyance to Messrs. Garage and Coy.?

(c) Is it a fact that the expenditure incurred for mail conveyance has considerably increased since the transfer of the work to Messrs. Garage and Coy.?

(d) If the reply to part (c) be in the affirmative, do Government contemplate to revert to the old system of mail conveyance on expiry of the term of agreement with the contractors? If not, why not?

Mr. H. A. Sams: (a) A copy of the contract will be supplied to the Honourable Member.

(b) The payments made to Messrs. Garage Limited, during 1927-28 amounted to Rs. 2,06,840. The cost of the service for a year before the conclusion of the contract was Rs. 2,34,466.

(c) No. On the contrary it has decreased, as already stated.

(d) Government have no cause to believe that, when the contract expires, a reversion to a departmental service will be in any way advantageous.

RECOVERY OF ARREAR PAY PAID TO CLERKS OF THE CALCUTTA GENERAL POST OFFICE.

1020. ***Mr. S. C. Mitra:** (a) Are Government aware of the Postmaster-General, Bengal and Assam's letter No. A-16, dated the 24th December, 1928, issued to the Presidency Postmaster, Calcutta, regarding recovery of arrears pay, paid to graduates and under-graduates of the Calcutta General Post Office?

(b) Will Government please state if bills in Calcutta are pre-audited before payment? If so, will Government please state why no objection was raised immediately before payment?

(c) Will Government please state on what basis the bills were prepared?

(d) Are the connected papers still available both in the Calcutta General Post Office and in the Office of the Deputy Accountant General, Posts and Telegraphs, Calcutta?

(e) Are Government prepared to order suspension of recovery pending final decision by Government?

(f) Do Government propose to consider the hardship of the clerks, and waive recovery from the staff concerned and refund the amount recovered?

(g) Will Government please state on what order the arrears were drawn and disbursed?

Mr. H. A. Sams: Information is being collected and will be supplied to the Honourable Member.

DEATH ON BOARD THE S.S. "SUTLEJ" OF CERTAIN INDIANS RETURNING
TO INDIA FROM BRITISH GUIANA.

1021. ***Mr. Ram Narayan Singh:** (a) Will Government be pleased to state whether it is a fact that, in the month of September last, 37 repatriated Indians on board the S.S. "Sutlej", returning to India from British Guiana, died during the voyage before reaching the Indian shores?

(b) Is it a fact that, at the request of the Secretary of "The Imperial Indian Citizenship Association, Bombay", the Government of India asked the Government of Bengal to investigate into the circumstances under which this unfortunate tragedy occurred, and that the matter was inquired into by Major W. O. Walker, I.M.S., the Protector of Emigrants, Calcutta, and Mr. E. H. Blandy, I.C.S., the Collector of the 24-Paraganas?

(c) Will Government be pleased to lay on the table a copy of the report submitted by the said officers?

(d) Has the attention of Government been drawn to an article published in the *Young India* of the 7th February, 1929, and written by Mahatma Gandhi, who describes the present system of Government as wicked, and calls this inquiry only a whitewash?

(e) Is it a fact that such tragedies occur every year?

(f) Do Government propose to institute an impartial inquiry, as suggested by Mahatma Gandhi, to inquire into the whole subject in connection with such unfortunate occurrences?

Mr. G. S. Bajpai: (a) Yes.

(b) The Government of India instructed the Government of Bengal to hold the inquiry as soon as they saw the report in the press that an abnormal number of deaths had occurred among Indians returning to this country by the "Sutlej".

The inquiry was held by the officers referred to by the Honourable Member.

(d) Government have seen the article. They consider that the report attempts a careful analysis of the causes which led up to the deaths, and contains valuable suggestions as to how their recurrence should be avoided.

(e) No, Sir.

(c) and (f). Government regret that they are unable to publish the report at this stage. This is not due to any desire to suppress the report, but to give the Colonial Government concerned an opportunity of expressing its views on the comments and suggestions contained in that report. I can, however, assure the Honourable Member that the question of preventing the recurrence of such regrettable incidents in future is being pursued energetically by the Government of India, and that they will endeavour to make a full announcement on the subject as soon as possible. When such an announcement is made, my Honourable friend will probably agree that no fresh investigation is necessary.

Mr. A. Rangaswami Iyengar: Will Government be pleased, when they make the announcement, to publish all the information obtained as a result of the investigations pursued with the Fiji Government?

Mr. G. S. Bajpai: The Government concerned is not the Government of Fiji, but the Government of British Guiana. My Honourable friend's suggestion will be considered.

INSTITUTION OF RULES AND BYE-LAWS FOR THE CONDUCT OF THE AFFAIRS OF THE LADY HARDINGE MEDICAL COLLEGE AND HOSPITAL, DELHI.

1022. ***Sardar Gulab Singh:** (a) Is it a fact that there is no manual of rules and regulations or bye-laws governing the affairs of the Lady Hardinge Medical College and Hospital, Delhi? If so, do Government propose to direct its governing body to prepare one? If the reply be in the affirmative, will Government be pleased to place a copy of it on the table of this House?

(b) Is it a fact that this institution is run mainly on the lines of a Government institution? If so, do Government propose to direct the governing body to replace its present private audit by the Government Local Fund Auditors, who generally audit semi-Government concerns like this free of charge?

(c) Is it a fact that the Bursar gets several benefits of boarding and lodging, etc., in addition to her salary of Rs. 700 per mensem, and enjoys a distinctive rate of provident fund at 2 annas per rupee, while the majority of the college and hospital staff get 1 anna per rupee? If so, do Government propose to direct the governing body to scrutinise the concessions given to the Bursar, and give justification for the grant of a distinctive rate of provident fund?

Mr. G. S. Bajpai: (a) A printed copy of the Memorandum and Rules and Regulations of the Association for the control and management of the Lady Hardinge Medical College and Hospital has been placed in the Library of the House. If, after perusal of this literature, the Honourable Member will kindly tell me what other information regarding the regulation of the administration of the College he requires, I shall endeavour to get it for him.

(b) The Honourable Member is referred to the reply given by Mr. Bhore to Lala Duni Chand's starred question No. 882 on the 19th February 1926.

(c) The Bursar is in receipt of a salary of Rs. 700 per mensem, with free lodging. The latter concession is allowed to all members of the staff who are required to reside in the College precincts. She is not allowed free boarding, nor is she given any special concession in respect of provident fund. Like the majority of the staff, she subscribes ten per cent. of her salary towards the provident fund, and an equal amount is credited by the Governing Body under the rules to her account. Government understand, however, that some of the lower paid employees of the College are allowed to contribute a smaller percentage of their salary to the Provident Fund as a concession. Government propose to suggest to the Governing Body that, in this matter, uniformity is desirable.

NUMBER OF PERSONS RECENTLY EVACUATED FROM AFGHANISTAN BY THE ROYAL AIR FORCE.

1023. ***Mr. Gaya Prasad Singh:** Will Government be pleased to state how many persons in all have been evacuated from Afghanistan by the Royal Air Force since the trouble started there up to date?

Sir Denys Bray: The number is 586.

Mr. Gaya Prasad Singh: I should like to know whether there are any Indians or Europeans left over to be evacuated from Afghanistan now.

Sir Denys Bray: I am sorry I have not got my papers with me. There is a certain number of Europeans—chiefly Germans—still in Kabul. And there is a certain number of Indians, who were given an opportunity to be evacuated by aeroplane before the British Minister left, but who did not accept it. If my memory is accurate, the number is something like 50 or 60.

RECOMMENDATIONS SENT TO THE SECRETARY OF STATE REGARDING THE INDIAN HIGH COURTS BILL.

1024. ***Mr. Gaya Prasad Singh:** (a) Will Government be pleased to state what recommendations, if any, they have sent to the Secretary of State for India regarding the Indian High Courts Bill, now pending in the House of Commons, which seeks to throw open the office of Chief Justice to members of the Indian Civil Service?

(b) Is there a strong feeling of resentment against the proposal in this country? Have Government communicated any such feeling to the Secretary of State?

The Honourable Mr. J. Orerar: The Honourable Member is referred to the answer given by me yesterday to question No. 987.

Diwan Chaman Lal: May I ask the Honourable Member if he has revised his opinion since yesterday? (Laughter.)

(No reply was given.)

PARTICULARS OF TRAINING GIVEN TO INDIAN BOYS OF THE UNIVERSITY TRAINING CORPS.

1025. ***Dr. B. S. Moonje:** (a) Are Government aware that the training of the Officers Training Corps and the Cadets in England comprise the following:

I. For the officers, courses of instructions are of two kinds:

- (1) obligatory, comprising,
 - (i) initial (including instruction in minor tactics).
 - (ii) musketry.
- (2) voluntary, comprising Lewis Gun, refresher course in musketry and Lewis Gun; physical training; signalling; attachment to a regular unit.

II. For the Cadets:

- (1) Drill, comprising squad and arms drill, platoon drill, company drill, extended order drill, battle formations.
- (2) Musketry.
- (3) Field training and tactics.
- (4) Map reading and use of compass.
- (5) Physical training.

(b) What portions of this training are given to Indian boys of the University Training Corps?

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

(b) Officers have so far only been trained in the unit itself. In future, they will be required to complete a 6 months' course of attachment to a regular unit before they are confirmed in their rank.

The syllabus of training for other ranks of the University Training Corps includes all the subjects mentioned in part (a) (ii) of the question, except map reading and the use of the compass.

FEES IN GREAT INDIAN PENINSULA RAILWAY SCHOOLS FOR CHILDREN OF NON-RAILWAY EMPLOYEES.

1026. ***Dr. B. S. Moonje:** (a) Will Government please state if it is a fact that, in the schools started by the Great Indian Peninsula Railway for children of the Railway employees, fees three times as high are charged for the children of those people who cannot be strictly called railway employees, but who serve the Railway none-the-less such as the managers of, and other men serving in, the Railway refreshment rooms?

(b) If so, what Government propose to do to remove this hardship?

Mr. P. R. Rau: (a) The rates of fees for railway and for non-railway children in schools maintained by the Great Indian Peninsula Railway will be found on page 76 of the Report on the Expenditure of Railways on the education of the children of employees in 1925-26, a copy of which is in the Library. Managers of refreshment rooms and other men employed by refreshment room contractors, are not railway employees and their children, therefore, are not eligible for admission on the scale of fees fixed for railway children.

(b) Government do not propose to take any action in the matter.

FEES CHARGED IN THE RAILWAY SCHOOL AT ITARSI FOR CHILDREN OF EMPLOYEES IN THE RAILWAY REFRESHMENT ROOM.

1027. ***Dr. B. S. Moonje:** Will Government please state:

(a) if it is a fact that the manager of, and other men serving in, the Railway refreshment room at Itarsi have to pay fees for their children attending the Railway schools three times as high as what other Railway men are required to pay:

(b) if so, what Government propose to do to remove the hardship?

(c) if the Government make any contribution towards the maintenance of the school, and if so, what amount do they pay and what proportion do they bear to the total yearly expenditure of the school?

Mr. P. R. Rau: The reply I have just given answers parts (a) and (b) of this question.

(c) The information available to Government in regard to the recurring expenditure on railway schools on the Great Indian Peninsula Railway, and the sources from which it is met, will be found in Appendix VIII to the Report on the Expenditure of Railways on the education of the children of employees in 1925-26, of which a copy is in the Library.

PROVISION OF ONE OR MORE LARGE-FACED CLOCKS IN PROMINENT POSITIONS IN NEW DELHI.

1028. ***Sir Darcy Lindsay**: (a) Will Government state how many public clocks (external) there are in New Delhi and where they are placed?

(b) Have Government considered the desirability of providing New Delhi with one or more large-faced clocks placed in a prominent position such as either of the Secretariat towers?

(c) Are Government aware that, owing to its somewhat obscure position, it is difficult to read the clock on the external wall of the new post office building in Lothian Road, Delhi?

(d) Do Government propose that instructions be issued so to alter the position and face of the clock as to make the hour readily discernable, both by day and night?

The Honourable Sir Bhupendra Nath Mitra: (a) Two. One is placed on the Telegraph Office on Queensway, and the other is on the Band Institute in the Viceregal Estate.

(b) The reply is in the negative.

(c) The situation of the building does not permit of the present clock being given greater prominence.

(d) The matter will be considered.

Mr. B. Das: Will the Honourable Member please see his way to put an electric light over the clock in the Central Telegraph building?

The Honourable Sir Bhupendra Nath Mitra: I will consider that suggestion.

Mr. Gaya Prasad Singh: With reference to the answer to part (c), may I know who is responsible for the design of the building which makes the clock so obscure?

The Honourable Sir Bhupendra Nath Mitra: I cannot answer that question offhand.

DEVELOPMENT OF NATURAL CURATIVE SPRINGS IN INDIA.

1029. ***Sir Darcy Lindsay**: (a) With reference to my question No. 495 of 21st March, 1928, will Government be pleased to state the result of their enquiries and the decision, if any, that has been arrived at with a view to developing one or more of the available springs the waters of which have curative qualities likely to be beneficial to persons suffering from maladies amenable to such treatment?

(b) Will Government be pleased to state what natural springs there are in India and Burma, giving gaseous or still waters with health-giving qualities, such as are held to be contained in imported waters like Vichy, Evian Vals, Perrier and Appolinaris?

Mr. G. S. Bajpai: (a) and (b). Copies of the replies received from Local Governments to the circular letter addressed to them, in pursuance of the promise made to the Honourable Member, were placed in the Library of the Legislative Assembly on the 4th September, 1928. I am, however, having copies supplied to the Honourable Member direct separately now.

Medical Administration, being a transferred provincial subject, the development of springs in provinces is a matter primarily for Local Governments concerned. In the centrally-administered areas, the possibility of development appears to be limited. Should the Honourable Member care to make suggestions for the development of such springs as exist, whether in the provinces or in the centrally-administered areas, Government will gladly consider such suggestions themselves, or pass them on to the Local Governments concerned.

PROVISION OF LOCAL ADVISORY COMMITTEES AT IMPORTANT STATIONS
IN THE CHOTA NAGPUR DIVISION.

1030. *Mr. Ram Narayan Singh: (a) Will Government be pleased to state whether there is any Local Advisory Committee for Railways at Gomoh Junction, Hazaribagh Road Station, Kodarma, Dhanbad, Adra, Chakradharpore, Jamshedpore, Purulia, Ranchi, Bermo, Barkakana, Daltonganj and other important railway centres in the Chhota Nagpur Division?

(b) If the answer to part (a) be in the negative, will Government be pleased to state whether they propose to have Local Advisory Committees for Railways in all or some of the places mentioned in part (a) in the near future, and if so, where and within what period of time?

Mr. P. R. Rau: (a) and (b). There are no local Committees at the places mentioned, nor is there any proposal to that effect at present under consideration. The Rules regarding the constitution of Local Railway Advisory Committees provide that a separate main Committee is to be constituted for each Railway Administration and that, when considered desirable by Agents, separate branch local Committees will be formed at large centres.

Mr. B. Das: Is the Honourable Member aware that, on the Bihar and Orissa Local Advisory Committee for the Bengal Nagpur Railway, there is no Indian Member at present from the Ranchi Division, and only the European representative of Assam Labour?

Mr. P. R. Rau: I am not aware of that.

Mr. B. Das: Will the Honourable Member kindly look into the matter?

Mr. P. R. Rau: Certainly.

NAMES OF COMPANY-MANAGED RAILWAYS IN INDIA AND NATURE OF
CONTROL EXERCISED OVER THEM BY GOVERNMENT.

1031. *Mr. Ram Narayan Singh: (a) Will Government be pleased to name the various company-managed railways in India and Burma, with the respective dates of their establishment?

(b) Will Government be pleased to lay on the table copies of agreements originally entered into between Government and the various railway companies?

(c) Will Government be pleased to state the nature of control they have all along been exercising over each of the various railway companies?

(d) What are the various ways in which the satisfactory administration of the company-managed railways is assured?

Mr. P. R. Rau: (a) I lay on the table a statement containing the information asked for.

(b) A copy of each of the main line contracts is in the Library.

(c) and (d). The Indian Railways Act, and the contracts that the Companies have entered into with the Secretary of State, give the Government of India large powers of control, the nature of which is fully explained in Appendix B to Vol. I of the Report by the Railway Board on Indian Railways for 1927-28. Copies of this Report are in the Library.

Statement showing the names of the principal Company-managed Railways and the dates of registration of the Companies.

Railway.	When Company was registered.
1. Assam Bengal 1892
2. Bengal and North-Western 1882
3. Bengal Nagpur 1887
4. Bombay, Baroda and Central India Originally in 1855. Re-constituted in 1906.
5. Madras and Southern Mahratta 1908 (Formed on the amalgamation of the old Madras Railway with the Southern Mahratta Railway.)
6. Rohilkund and Kumaon 1882
7. South Indian 1890

Mr. K. C. Neogy: Are Government considering the question of revising the Indian Railways Act, as recommended by the Acworth Committee?

The Honourable Sir George Rainy: I do not think there is any specific proposal under consideration at the moment apart from the question of giving effect to the Washington and Geneva conventions, which might involve an amendment of the Indian Railways Act.

Mr. K. C. Neogy: Is it not a fact that the Acworth Committee expected that a general revision should be undertaken as early as possible, and that it should form one of the earliest duties to be performed by the President of the Railway Rates Advisory Committee?

The Honourable Sir George Rainy: Yes, Sir. I have been considering the question of referring the matter to him, but I am speaking from recollection, and I should prefer not to make any definite statement at the moment as to how exactly the matter stands.

Mr. K. C. Neogy: How long does the Honourable Member expect to take in coming to a final decision in the matter?

The Honourable Sir George Rainy: Probably by the middle of April.

Mr. M. S. Aney: Since how long has the Rates Advisory Committee come into existence?

The Honourable Sir George Rainy: I must ask for notice of the question.

Mr. B. Das: Are Government considering the suggestion that was made on the floor of the House during the railway budget discussion that Government should consult their legal advisers as to how best to control company-managed railways?

The Honourable Sir George Rainy: I am not sure to what statement my Honourable friend refers.

Mr. B. Das: Is the Honourable Member aware that according to the construction of the contracts entered into by company-managed railways, such as the Bengal Nagpur Railway, they have no control over such railways? Are Government considering the suggestions that were made at the time of the railway budget discussion on the floor of this House, namely, that the Government should consult their legal advisers as to how best to exercise their control over company-managed railways?

The Honourable Sir George Rainy: If the Honourable Member is referring to a suggestion made during the discussion of the railway budget this year, I can say at once that since then, I have not had leisure to consider anything. (Laughter.)

Mr. Ram Narayan Singh: May I know the actual procedure in regard to the control and supervision of the Bengal Nagpur Railway?

The Honourable Sir George Rainy: I am afraid I could not catch the Honourable Member's question.

Mr. Ram Narayan Singh: I want to know the actual method and procedure by which the management of the Bengal Nagpur Railway is controlled and supervised?

Mr. K. Ahmed: That is not a supplementary question.

The Honourable Sir George Rainy: I cannot answer that in reply to a supplementary question.

REPORTED SHORTAGE OF WAGONS FOR THE SUPPLY OF COAL TO CALCUTTA.

1032. ***Mr. Ram Narayan Singh:** (a) Has the attention of Government been drawn to the editorial article of the *Statesman* of Calcutta of the 26th February, 1929?

(b) Will Government explain the shortage of wagons referred to in the said article?

(c) What steps do Government propose to take to remove the likelihood of a coal famine in Calcutta?

(d) What is the general policy of Government with regard to the supply of sufficient wagons to all industrial areas in the country?

Mr. P. R. Rau: (a) Yes.

(b), (c) and (d). The Honourable Member's attention is invited to the statements made on this subject by the Honourable Member for Railways in the Assembly during the last fortnight.

RECRUITMENT OF STAFF FOR THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

1033. ***Mr. S. C. Mitra:** (a) With reference to the reply given to my starred question No. 667 of the 19th February, 1929, will Government be

pleased to state whether it is fact that, after the transfer of the number of men mentioned in the reply, some further recruitment has been made by Rai Bahadur Faquir Chand and his superiors in the Railway Clearing Accounts Office? If so, will Government be pleased to state what is the number of this further recruitment up to date in the Railway Clearing Accounts Office?

(b) Will Government be pleased to state the total number of men, including temporary hands, now working in the Railway Clearing Accounts Office?

Mr. P. R. Rau: (a) The total number of clerks recruited by the Director of the Clearing Accounts Office, since the establishment of the Clearing Accounts Office in December, 1926, is 221.

(b) 1,325.

OFFICE HOURS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

1034. ***Mr. S. C. Mitra:** With reference to the reply given to my starred questions Nos. 668 and 669 of the 19th February, 1929, are Government aware that an office order has been issued only on the 20th February, 1929, in the Railway Clearing Accounts Office asking each sub-head to increase office hours, if necessary, to compel each clerk to finish his apportioned duties?

Mr. P. R. Rau: I have been able, through the courtesy of the Honourable Member, to obtain an extract of the office order he is referring to. I understand that it was not issued by the Director, but that it formed part of certain instructions issued by an officer, in charge of one of the sections of that office, to a superintendent regarding steps to be taken to check a tendency on the part of certain clerks to delay work. As these instructions included a suggestion that office hours might be increased in certain circumstances, the Director has been instructed to have that part of it withdrawn.

NAME AND PARTICULARS OF WORK DONE BY THE OFFICER PLACED ON SPECIAL DUTY IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

1035. ***Mr. S. C. Mitra:** (a) With reference to the reply given to my starred questions Nos. 668 and 669 of the 19th February, 1929, will Government be pleased to state the name of the officer placed on special duty to fix a standard of work for each class of the establishment, the date on which he was placed on such duty, and the work done by him up till now?

(b) Is it a fact that the said officer on special duty has not done anything since his appointment as such for the last three months?

(c) Will Government be pleased to state the reasons why extra remuneration will not be paid to the clerks of the office in question for attending office on holidays and for putting in extra hours of duty until a standard of work is finally settled by the said officer?

(d) Will Government be pleased to state the period that will be taken by the officer to finish the work for which he has been put on special duty?

Mr. P. E. Rau: (a) Mr. Ghulam Mohammad was placed on special duty for this and other work from the 1st November, 1928. He has already made inquiries into a portion of the work of the office and has submitted preliminary reports.

(b) The fact is not as stated.

(c) As at present advised Government do not consider that the sanctioned strength of the establishment is below what is required for the efficient performance of the work in the office.

(d) It is hoped that the work will be finished by the end of October.

REPORT OF THE DIRECTOR OF THE CLEARING ACCOUNTS OFFICE REGARDING ALLEGED ILL-TREATMENT OF THE STAFF OF THAT OFFICE.

1036. ***Mr. S. C. Mitra:** With reference to the reply to question No. 970 of the 19th February, 1929, do Government propose to place a copy of the report of the Director on the table of the House?

Mr. P. E. Rau: I understand the report was made verbally by the Director to the Controller of Railway Accounts.

ALLEGED IRREGULAR RECRUITMENT OF EMPLOYEES IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

1037. ***Mr. S. C. Mitra:** (a) With reference to the reply to my starred question No. 672 of the 19th February, 1929, will Government be pleased to state whether the following cases noted below are facts?

- (1) A matriculate named Kishori Lall, who is the brother of one Hansraj, a Superintendent, now an officer of the Clearing Accounts Office, was appointed on Rs. 40, and within three years' service has been appointed as a sub-head by nomination of the officers of the Department and is being paid Rs. 130;
- (2) One non-matriculate, Kamal Kishore, was directly recruited on Rs. 80, whereas the minimum pay of the lowest post in the Office is Rs. 26;
- (3) One matriculate, Jagadish, has been directly recruited on Rs. 80, whereas the lowest pay is Rs. 40;
- (4) One R. K. Swami has been directly recruited on Rs. 125, whereas the lowest pay of the post for a graduate is Rs. 60?

(b) If so, will Government be pleased to state the reasons for their making a statement in reply to the question noted above, that no such appointments or direct recruitment on higher pay have been made by the officers of the Railway Clearing Accounts office?

(c) Do Government now propose to make an inquiry as to the reasons for such direct recruitment, and do they propose to put a stop to such cases?

Mr. P. R. Rau: (a) I have obtained a report from the Director of the Clearing Accounts Office, and I understand the facts are as follows:

- (1) Mr. Kishori Lall was appointed in the lowest grade, but has risen by his merits.
- (2) Mr. Kanwar Kishore, to whom I understand the Honourable Member is referring, was not directly recruited by the Clearing Accounts Office, but transferred from another post the pay of which was Rs. 80.
- (3) Mr. Jagadish was the holder of a temporary post on Rs. 80 per mensem before he was appointed to the Clearing Accounts Office, on the 18th December, 1926, when that office was established, and his pay was fixed under the ordinary rules.
- (4) Mr. Swami was transferred from another Government Department, and his initial pay was fixed with reference to his qualifications.

(b) So far as I can see, the statement referred to was correct.

(c) In view of the facts stated, Government do not consider an inquiry necessary.

MEMORIAL TO THE VICEBOY FROM EMPLOYEES OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

1038. ***Mr. S. O. Mitra:** (a) With reference to the reply to my question No. 673, of the 19th February, 1929, are Government aware that, as many as 212 clerks signed the memorial to be submitted to His Excellency the Viceroy, and not, as stated by the Honourable Member, a small number of clerks?

(b) Are Government aware that the revision asked for by the officers of the Railway Clearing Accounts Office was the deletion of paragraphs Nos. 4 to 7 and 13 of the memorial (copies already supplied) dealing with the grievances of the staff regarding direct recruitment on higher salary of the relatives of the officers above the old hands, and the compulsory working for extra hours without remuneration?

(c) If not, will they be pleased to inquire about the truth of the above allegation? If not, why not?

Mr. P. R. Rau: The memorial which was referred to in Mr. Parsons' reply to the Honourable Member's question No. 673 on the 19th February, 1929, was, I understand, signed by about 40 clerks of the Clearing Accounts Office. From the present question, I gather that the Honourable Member is probably referring to some other memorial. I have asked the Director, Clearing Accounts Office, to investigate the matter and submit a full report, on receipt of which I shall communicate further with the Honourable Member.

CONSTRUCTION OF QUARTERS FOR EMPLOYEES OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

1039. ***Mr. S. O. Mitra:** With reference to the reply to my starred question No. 674, of the 19th February, 1929, will Government be pleased to state the date by which the quarters will be constructed?

Mr. P. R. Rau: As Mr. Parsons stated in the House on the 19th February, it is hoped that the quarters will be completed some time next winter.

METHOD OF RECRUITMENT OF THE STAFF OF THE RAILWAY CLEARING ACCOUNTS OFFICE.

1040. ***Mr. S. C. Mitra:** With reference to the reply to my starred question No. 671 of the 19th February, 1929, will Government be pleased to place on the table a copy of the Appendix D to the Honourable Member's memorandum and will they be pleased to state if the Railway Clearing Accounts Office have been acting according to that?

Mr. P. R. Rau: The memorandum is contained in the proceedings of the Standing Finance Committee for Railways, Volume V, No. 3, page 89, copies of which are in the Library of the House. The new rules will be brought completely into force when the system of separation of accounts from audit is introduced permanently.

FREIGHT ON RICE EXPORTED FROM BURMA.

1041. ***U. Tok Kyi:** (a) With reference to the answers given to my starred question No. 635 on the 18th September, 1928, will Government be pleased to state what action they propose to take in regard to the export duty on rice?

(b) Is it not a fact that the steamer freight for rice from Saigon to Bombay is only 9s. or Rs. 6 per ton, whereas that from Rangoon to Bombay is Rs. 14 and to Malabar ports Rs. 15?

The Honourable Sir George Schuster: (a) References have been made to the Indian Trade Commissioner in London and the Government of Burma asking for information, and for their views on a number of points relating to this question, and their replies are awaited before any decision as to action can be taken.

(b) The freight for rice from Saigon to Bombay depends on the demand and the available tonnage. If cargo is guaranteed, it would be Rs. 14 per ton at present, but no business is being transacted. The freight from Rangoon to Bombay and Malabar ports is Rs. 12 per ton at present.

CREATION OF A NEW PROVINCE TO BE CALLED THE NORTH EASTERN FRONTIER PROVINCE.

1042. ***U. Tok Kyi:** (a) Is it the intention of Government to create a new province, to be called the North Eastern Frontier Province in the north of Burma?

(b) Is it also the intention of Government to separate Burma from India and amalgamate it with the proposed North Eastern Frontier Province and the Straits Settlements where the Singapore base is being built?

The Honourable Mr. J. Orerar: Government have no such intention as is suggested in either part of the question. The matter must await the result of the inquiry of the Indian Statutory Commission.

EXPENDITURE INCURRED FOR THE ARMY AND MILITARY POLICE IN BURMA.

1043. ***U. Tok Kyi:** (a) What is the amount of the Army expenditure that is incurred in Burma?

(b) Do Government contribute anything towards the expenditure of military police in Burma? If not, do Government propose to pay a certain percentage?

Mr. G. M. Young: (a) About Rs. 98 lakhs a year.

(b) The Central Government makes an annual contribution, provisionally fixed at Rs. 45.74 lakhs, towards the cost of maintenance of the Burma Military Police.

FINANCIAL CONTROL OVER MILITARY EXPENDITURE.

1044. ***Mr. Gaya Prasad Singh:** (a) Has the attention of Government been drawn to an article under the head "Army Expenditure and Extravagance" published in the *Leader* of the 8th February, 1929?

(b) If so, will Government be pleased to make a full statement on the present financial control over military expenditure?

(c) Will Government be pleased to say what special steps have been taken by them to have an effective control over this huge non-votable expenditure?

The Honourable Sir George Schuster: (a) Yes.

(b) and (c). I lay on the table a statement, which describes in brief outline, the existing system of financial control over military expenditure. If my Honourable friend desires to have fuller information on the subject, I would refer him to Chapter XXIII of the book "the Army in India and its Evolution", a copy of which will be found in the Library of this House. I am also sending the Honourable Member, separately, an extract from the relevant Office Manual of Procedure, which describes the processes of control in still greater detail. I should, however, like to take the present opportunity of explaining to the Honourable Member that the system of financial control over military expenditure was greatly strengthened after the Great War, as the result of recommendations made to the Esher Committee by experienced financial officers of the Government of India and adopted by that Committee. Technically, the system is a strong one, and it would be difficult to devise a system which would, in form, give greater control to the Finance Department of the Government of India. If my Honourable friend will study the report of the Esher Committee, he will see that one member of the Committee, in a minute of dissent, recommended that the Financial Adviser to the Commander-in-Chief should, as in the case of the corresponding appointment in the United Kingdom, be subordinate to the Military Department and not to the Finance Member of the Government of India, but that recommendation was not accepted.

Statement describing in brief outline the Existing System of Financial Control over Military Expenditure.

The arrangements at present in force had their origin in recommendations made by Lord Kitchener, which have since been considerably expanded and strengthened, as a result of the proposals of the Esher Committee. They are based on a close association of the financial and administrative authorities, and, so far as the interior dispositions of the financial organisation is concerned, on a close union of the financial and accounting machinery.

2. The Financial Adviser, Military Finance, an officer of the Finance Department, who has usually had considerable experience of the system of financial administration on the civil side, is located at Army Headquarters. He has the status of a Joint Secretary to the Government of India, and has the right of personal access, both to the Commander-in-Chief and the Finance Member. He is a member of the Military Council, and attends all meetings of the Principal Staff Officers which deal with questions which have a financial bearing. Under the Financial Adviser are six Deputy,

and five Assistant, Financial Advisers who, with the exception of the Budget Officer, are attached to and work in the main Branches of Army Headquarters, including the Royal Air Force. The duties of this organisation are to scrutinise, with reference to financial principles and in the interests of public economy, all proposals involving expenditure, and also to prevent irregularities, to ensure that financial principles are duly observed, and to assist in the promotion of economy. All proposals involving expenditure not covered by regulations, or by standing orders of competent authority, have to be submitted for the scrutiny of the Military Finance Branch. The Finance Member is kept in touch with the work of the Branch by means of weekly summaries of cases dealt with in the Branch. Further, this Branch assists in the preparation of the budget, and other estimates, which are eventually scrutinised and compiled in the Budget Section. A close scrutiny is also kept upon the progress of expenditure throughout the year.

3. In addition, during the current year, an Additional Financial Adviser has been on special duty for six months in connection with the economy campaign, and in particular with expenditure on stores and the provision and storage of ordnance equipment.

4. The Financial Adviser also tours frequently, in order to inspect the working of the Military Accounts Department, and to keep in touch with the military organisation and developments throughout India.

5. In addition to his duties in connection with financial control, the Financial Adviser is Chief Accounting Officer of the Army and, with the assistance of the Military Accounts Department, which is under his control, is responsible for the prompt and accurate accounting of the expenditure on the military services, which includes an internal check of the expenditure. He is also responsible for the preparation of the annual appropriation accounts, which are subsequently examined by a special Committee, whose report is dealt with by the Public Accounts Committee. The Director of Army Audit, an officer of the Auditor General's staff, conducts a test audit of the accounts and expenditure, and prepares the annual audit report.

IMPOSITION ON THE ROYAL INDIAN MARINE OF THE DUTY OF HELPING IN ACCIDENTS AT SEA.

1045. ***Mr. Jamnadas M. Mehta:** (a) Will Government be pleased to state if any specific official duty is imposed on the Royal Indian Marine to send out a vessel either for help or for search in connection with such accidents at sea as the loss of the S.S. "Sant Tukaram" and the S.S. "Javanti" near Bombay in 1927?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the nature and extent of such official duty imposed on the Royal Indian Marine?

(c) If the answer to part (a) be in the negative, will Government be pleased to state whether they propose to take any steps to impose such official duty on the Royal Indian Marine?

Mr. G. M. Young: (a) The answer is in the negative.

(b) Does not arise.

(c) It is a normal and recognised duty of all ships, whether of the Royal Indian Marine or not, to proceed to the relief of distressed or wrecked vessels whenever called upon to do so: and it is unnecessary to issue any specific orders to the Royal Indian Marine. In the cases cited by the Honourable Member, no distress signal or request for help was sent to the Royal Indian Marine who were consequently unaware of what had happened.

Mr. Jamnadas M. Mehta: Is there any way by which the Royal Indian Marine could be acquainted, even when there is no signal from the ship in distress? Is there any watch kept on the shore in times of storm?

Mr. G. M. Young: I am afraid I am unable to answer the question offhand, Sir.

CONDUCT OF CAPTAIN HEADLAM BEFORE THE COURT APPOINTED TO INQUIRE INTO THE LOSS OF THE S.S. "SANT TUKARAM" AND S.S. "JAYANTI."

1046. ***Mr. Jamnadas M. Mehta:** (a) Are Government aware that the following strictures were passed against Captain Headlam by the Marine Court of Inquiry appointed to conduct an inquiry into the circumstances attending the loss of the S.S. "Sant Tukaram" and the S.S. "Jayanti"?

"We regret the attitude taken up by Captain Headlam. One should have expected that a man in his position, in the interests of the service to which he belongs, and as a Government official, would have voluntarily assisted and co-operated with the Marine Court of Inquiry constituted by the Government of Bombay, under the Merchant Shipping Act 21 of 1923, rather than have wasted its time by taking up the attitude he did."

"We deplore the fact that instead of co-operating with the Court, Captain Headlam should have, in the first instance, disobeyed the process of the Court, and obstructed the inquiry in the manner he did."

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what steps they have taken, or propose to take, to see that such attitude and conduct by officers connected with the Royal Indian Marine are not repeated in the future?

Mr. G. M. Young: (a) Government have not seen the proceedings of the Court of Inquiry, but they were informed by the late Director that he had been somewhat severely criticised by the Court.

(b) The facts, as reported to the Government of India, are, briefly, that Captain Sir Edward Headlam received, on the 16th of January, a summons to appear before the Court of Inquiry the same day, and give evidence about the official position of the Royal Indian Marine in regard to vessels in distress. Sir Edward Headlam was in some doubt whether he, or any of his officers, could properly do this without the permission of the Government of India. He accordingly asked for the instructions of the Government of India by express telegram, and informed the Chief Presidency Magistrate that he had done so. He further informed the Chief Presidency Magistrate, on the same day, that the Royal Indian Marine had invariably rendered, and would always render, any assistance possible to vessels in distress: that in this case no distress signal or request was received, and that he was unaware of the fact that any vessel was in distress, or he would have immediately despatched one or more vessels to its assistance. On the following morning, the Chief Presidency Magistrate sent a further summons to Sir Edward Headlam, and threatened to issue a warrant for his arrest if he did not comply. Accordingly Captain Headlam attended the Court, and gave evidence that afternoon. The Government of India are satisfied that Captain Sir Edward Headlam acted in perfect good faith, and had no intention whatever of obstructing the Court of Inquiry. If the incident discloses any lack of courtesy, it was

certainly not on the part of this very distinguished officer, who has now retired, and whose sympathetic attitude towards Indian shipping was a matter of common knowledge. (Applause.)

OBLIGATION OF THE BOMBAY PORT TRUST TO ASSIST IN THE EVENT OF DISASTERS AT SEA.

1047. *Mr. Jamnadas M. Mehta: (a) Will Government be pleased to state whether any specific obligation is laid under the Act on the Port Trust to send out a vessel either for help or for search in case of such disasters as happened near Bombay in 1927 by the loss of the S.S. "Sant Tukaram" and the S.S. "Jayanti"?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state the nature and the extent of the obligation imposed upon the Port Trust in such matters?

(c) If the answer to part (a) be in the negative, what steps have they taken or do they propose to take in making it obligatory on the Port Trust authorities to render all the necessary help both to missing vessels and survivors in case of such disasters as are referred to above?

The Honourable Sir George Rainy: I presume that the Honourable Member's question has reference to the position of the Bombay Port Trust. There is no specific obligation laid on the Board of Trustees of the Port of Bombay by the Bombay Port Trust Act. In actual practice, if requested by the owners or agents, the Port Trust sends out a tug to the assistance of a vessel in distress. Further, if an S. O. S. is received and if a craft is available, the Trust sends out a tug to help within a radius of 200 miles. It is also understood that the Bombay Government have requested the Board of Trustees to authorise the Port Officer, Bombay, to take such action as he may consider necessary, in anticipation of the sanction of the Chairman, with a view to render assistance to vessels in distress, or in the case of shipwreck. Government do not consider any further action in the matter necessary.

TERMS OF CONTRACTS FOR CARRIAGE OF MAILS ON CERTAIN ROUTES.

1048. *Mr. Jamnadas M. Mehta: (a) Will Government be pleased to state the name or names of the shipping company or companies with which contracts have been made for the carriage of mails on the undermentioned routes, together with full particulars as regards the conditions of contract, including the period for which the contract is made, and the annual subsidy which Government give to that company or companies for that purpose?

- (i) between India and England;
- (ii) between Bombay and Karachi;
- (iii) between Madras and Rangoon;
- (iv) between Calcutta and Rangoon;
- (v) between Madras and the Straits; and
- (vi) between Calcutta and the Straits?

(b) Will Government be pleased to lay on the table a true copy of the contract or contracts which Government may have made for the carriage of mails referred to in part (a) above?

(c) Will Government be pleased to state if there is any obligation on the company or companies with which they have made contracts for the carriage of mails to carry Indian apprentices on board the steamers and to give preference in employing officers on board the ships to Indians holding the Board of Trade certificates of competency?

(d) If the answer to part (c) be in the negative, will Government be pleased to state whether they propose to take any steps for the training of apprentices and for the employment of Indians as officers on steamers of the company to which contracts have been given for the carriage of mails?

The Honourable Sir Bhupendra Nath Mitra: Sir, with your permission, I shall take questions Nos. 1048 and 1049 together. The information desired is being collected and will be supplied to the Honourable Member as soon as possible.

PROHIBITION OF THE USE OF THE DEFERRED REBATES SYSTEM BY SHIPPING COMPANIES CARRYING MAILS.

†1049. ***Mr. Jamnadas M. Mehta:** (a) Are Government aware that one of the conditions attached by the Union Government in South Africa for the carriage of mails is that the company to which the contract is given shall not make the deferred rebate system a condition on the rates of freight they quote for the carriage of goods by their steamers?

(b) Will Government be pleased to state whether the condition as to the deferred rebate referred to in part (a) is one of the conditions of the contract which they have entered into with the shipping companies for the carriage of mails?

(c) If the answer to part (b) be in the negative, will Government be pleased to state what steps they propose to take for embodying such a condition, namely, making it obligatory for the company carrying the mails not to make the deferred rebate system part and parcel of the rates of freight that they charge for the carriage of goods by their steamers?

CARRIAGE OF COAL BY SEA FOR STATE-MANAGED RAILWAYS BY INDIAN SHIPPING COMPANIES.

1050. ***Mr. Jamnadas M. Mehta:** (a) Will Government be pleased to state the quantity of coal carried by sea on account of railways managed by the State during the last five years?

(b) Will Government be pleased to state if tenders were invited for the carriage of such coal by sea on account of the State-managed railways, and if so, whether any chance was given to Indian shipping companies to tender for the carriage of coal, in pursuance of the Resolution of the Honourable Sir (then Mr.) Lalubhai Samaldas in the Council of State in 1922 and accepted by the Government?

(c) As the Burma Railways are now managed by the State, will Government be pleased to state if they propose to call for tenders for the carriage of coal by sea for the Burma Railways from Calcutta to Rangoon, and whether this matter will be decided in pursuance of the Resolution accepted by them and referred to above in part (b)?

† For answer to this question, see answer to question No. 1048.

Mr. P. E. Rau: (a) The only occasion, during the last five years, was in March, 1927, when, as an emergency measure, 7,500 tons of coal were sent to Karachi by sea.

(b) No. The matter was urgent, and the Chief Mining Engineer made the best arrangements possible at the time.

(c) I understand that the Burma Railway Company had entered into a contract in 1922, or thereabouts, with the British India Steam Navigation Company to carry coal for them from Calcutta to Rangoon for a period of 10 years. The matter is being investigated.

CARRIAGE OF CARGO FOR STATE-MANAGED RAILWAYS BY INDIAN SHIPPING COMPANIES.

1051. ***Mr. Jamnadas M. Mehta:** Will Government be pleased to state the total quantity of cargo carried on account of the Government and on account of the State-managed railways in India by sea in the coasting trade during the last three years, and will Government be pleased to state if Indian shipping companies were given an opportunity for quoting for the carriage of that cargo, and if so, the quantity of cargo carried by Indian shipping companies and the quantity of cargo carried by non-Indian shipping companies?

The Honourable Sir George Rainy: I would invite the attention of the Honourable Member to my reply to a similar question by Mr. Haji on the 2nd September, 1927. No information is available regarding the cargo carried on Government account and on account of the Railways coastwise. Inquiry is, however, being made if Indian Shipping Companies are given an opportunity of quoting for the carriage of such cargo, and information will be supplied to the Honourable Member in due course.

MEMORIAL SUBMITTED BY MAUNG BA OBH, LATE INSPECTOR OF INCOME-TAX, BAZAAR CIRCLE, RANGOON.

1052. ***U. Tok Kyi:** With reference to the answer given to my starred question No. 793 on the 20th September, 1928, will Government be pleased to state what action they propose to take on the memorial submitted by Maung Ba Obh, late Inspector of Income-tax, Bazaar Circle, Rangoon?

The Honourable Sir George Schuster: The petition in question was withheld by the Central Board of Revenue, because it was presented more than six months after the communication of the Board's order rejecting the petitioner's appeal against the order for his removal, and no satisfactory explanation was given of the delay. I may add, for the information of the Honourable Member, that in May, 1927, the petitioner's case came to the notice of the Government of India, who considered the order of the Commissioner of Income-tax, Burma, removing the petitioner from his office, to have been correct.

REVERSION TO HIS FORMER APPOINTMENT OF MR. B. C. DE, A WIRELESS OPERATOR.

1053. ***U. Tok Kyi:** (a) With reference to my starred question No. 600 on the 18th September last, is it not a fact that Wireless Operator B. C. De's reversion took place, not while he was under training, but after he had been examined and had passed the tests, while he was working as a qualified operator?

(b) Will Government be pleased to state on what grounds he was found unsuitable and how and by whom the unsuitability was judged?

(c) Is it a fact that there was no report of such unsuitability from the officer in charge by whom he was trained and under whom he was working?

Mr. H. A. Sams: (a) No.

(b) The Deputy Assistant Engineer, Wireless, in charge of the Section in which Mr. De was under training at the time, reported that the latter displayed a very poor standard of intelligence and lack of capacity in handling complicated apparatus. This report was confirmed by the Divisional Engineer, Wireless, after a personal investigation.

(c) The fact is not as stated.

THE GENERAL BUDGET—LIST OF DEMANDS—contd.

SECOND STAGE—contd.

Expenditure charged to Revenue—contd.

DEMAND NO. 28—EXECUTIVE COUNCIL—concl'd.

Present System of Administration of the Government of India—concl'd.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Sir, yesterday, when the Mover of the motion was speaking on the subject of this cut and discussing his so-called national demand, I was surprised to find

Mr. President: I thought the Honourable Member wanted to raise some point of order.

Mr. K. Ahmed: I am sorry, Sir, I was a bit too early in standing up for my speech on the motion. (Laughter.)

Mr. President: Order, order. The House will now resume further consideration of the following motion moved by Pandit Motilal Nehru:

"That the Demand under the head 'Executive Council' be reduced to Re. 1."

Mr. K. Ahmed: Sir, yesterday

Mr. President: Maulvi Muhammad Yakub. (Laughter.)

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, silence on an occasion like this is liable to be misunderstood and misinterpreted, especially by that section of the Press which is always on the lookout to abuse Honourable Members belonging to my community. It is therefore necessary that I should speak a few words on this occasion to explain my attitude. Sir, the House is well aware that, since 1924, when we joined this Assembly, on all occasions when a motion for constitutional reform was discussed, we always joined in expressing our censure on the Government for not responding to our national demand, and on all occasions I gave my vocal support to the motion which was being discussed on those occasions. The House will

remember that the amendment about safeguarding the interests of the minorities was moved by me, which was adopted by the Honourable Pandit Motilal Nehru in his Resolution in 1924. I want again to make it clear, on the floor of this House, that the Mussalmans as a community, are not behind any other community in this country in making an effort to obtain the freedom of our Motherland. Had it not been for the unfortunate incident that the Nehru Report was dragged into this discussion last evening, our attitude as regards this motion would have been the same as it had been on previous occasions. But there are certain statements in the speech of the Honourable the Mover of the cut which require some explanation on our part. In the first place, Sir, with due deference to the Honourable the Pandit, for whom I have always the greatest respect and regard, I would submit that the principles of the Nehru Report are not accepted by an overwhelming majority of the people of the country, as he was pleased to say last evening.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhamadan Urban) and others: Question.

Maulvi Muhammad Yakub: Well, my reply to the question, Sir, is that, leaving aside all other organised bodies in this country, the worthy son of the Honourable Pandit himself rejected the principle of his Report when he made his demand for complete independence. That goes to the very root of dominion status which the Nehru Report demands. Such was also the attitude of his noble lieutenant in this House.

Pandit Motilal Nehru: Not on communal grounds:

Maulvi Muhammad Yakub: Well, that is the principle. Then, Sir, the Mussalmans of India, with the exception of a few individuals, have rejected dominion status in the form in which it is laid down in the Nehru Report.

Pandit Motilal Nehru: Do you want independence?

Maulvi Muhammad Yakub: We want nothing short of responsible government, with due safeguards for the rights and interests of the Mussalmans and other minority communities. (Loud Cheers from the European Group.)

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhamadan): Is the European Group in favour of this demand?

Sir Victor Sassoon (Bombay Millowners' Association: Indian Commerce): With due safeguards.

Maulvi Muhammad Yakub: And, Sir, the Nehru Report does not comply with those safeguards. As regards the attitude of the Mussalmans, I may submit that, in December last, we had a very representative and influential conference of Mussalmans in this ancient city of Delhi. It is impossible to imagine any conference or gathering of any community in India more representative in character than was the conference that was held in Delhi in December last. The Ulemas, our religious leaders, the members of the Khilafat constitution, most of the old members of the All-India Moslem League, the Mussalman members of the local Legislative Councils, the Mussalman members of local bodies and municipalities

Pandit Motilal Nehru: Sir, all this is irrelevant to the motion I have made before the House. I have not gone into any of these questions. I have made it perfectly clear that I do not seek the verdict of this House on the Nehru Report, yet my Honourable friend is going into all these matters. I beg your ruling, Sir, whether it is permissible for him to do so.

Maulvi Muhammad Yakub: I beg to submit, Sir, that as the Honourable Pandit was pleased to mention certain important facts which happened last year, in reply to those facts I may be permitted also to narrate other important facts which also happened last year. If he had not mentioned them, I would not have said a single word about it.

Mr. President: I would ask the Honourable the Deputy President to avoid controversy and heat in this debate as far as possible.

Maulvi Muhammad Yakub: Nothing is further, Sir, from my mind than to create any heat in this debate. I really, Sir, feel very very sorry that the position in the country at this juncture, when unity on all sides was urgently needed, should be such as it is; but I would submit respectfully that we are not responsible for this attitude. We have tried our level best. We extended our hand in friendship. We joined the All-Parties Conference at Delhi. But when we found that the Congress Resolution of 1927 was turned down, when we found that the Resolution, which was passed at Calcutta by the All-India Moslem League, was turned down, and when we saw the treatment which was meted out to the greatest nationalist in India—I mean Mr. Jinnah—at the Congress Convention in Calcutta, we were obliged to express our feelings and we are obliged to explain our attitude on this occasion. So what I submit is that I do not admit that the principles of the Nehru Report are admitted by an overwhelming majority of the people of the country.

The second thing in which I respectfully differ from the Honourable the Pandit is that the Nehru Report does contain our national demand today. So far as the Mussalmans' national demand is concerned, it contained in the Resolution which we passed at the All-India Moslem Conference held in December last. I may mention here that the very system of federal government, which we advocated in our Resolution, was adopted by Sir Chimanlal Setalvad, presiding at the All-India National Conference at Allahabad. So the national demand, contained in the Nehru Report, does not represent the national demand of the whole country. It may represent the national demand of the Congress or those who think with them. Therefore it is impossible for us to vote for or to agree with any motion which gives an impression that the national demand of the country is contained in the Nehru Report. Of course Pandit Motilal Nehru has made it quite clear that he does not want a vote on the Nehru Report; but when he says that our national demand is contained in the Nehru Report, voting on this out would mean nothing but voting on the Nehru Report in disguise.

Here I may also be permitted to say that I am very glad the Pandit Sahib made an announcement last evening that the door of settlement was not closed and that it is open and will remain open. I welcome this statement. I assure him that, so far as my community is concerned, we reciprocate his feelings heartily, that we are, and have always been, ready to come to an honourable settlement with all the communities of this

country; that it was not we who closed the door for a settlement, but, as I have just mentioned, it was the attitude of those who were responsible for holding a meeting in Lucknow in August last, who hustled down every voice that was raised to oppose their Report, and it was the attitude of those responsible for convening the Convention of Calcutta that closed the door for any settlement. But if the Honourable the Pandit again re-opens that door, he is quite welcome to do it, and we are always ready, as I said, to co-operate with him, to come to some honourable settlement with him on all these questions.

I think that I have made our position quite clear. To those who cannot see anything, probably nothing will ever be clear, but those who have any eyes to see, can see the signs of the times even while they are running. The position is as I have expressed it. We are not satisfied with the response that the Government have made to the national demand in this country; but at the same time, we do not want an advance in the direction which is suggested in the Nehru Report. On the other hand, we want an advance in responsible government in India on the principles laid down in the All-Muslim Parties Resolution, which was unanimously passed by Mussalmans of all shades of opinion in their meeting at Delhi.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, the issue before the House is a very grave one, and I shall follow the advice of my friend the Honourable the Home Member that I should deal with it dispassionately, coolly, calmly and without temper. Sir, the issue before the House is whether the Government have made an adequate response to our repeated demands on the floor of this House since 1924. I think I am voicing practically the consensus of opinion in this House when I say that our demand—whatever language or whatever shape or whatever form it may have assumed from time to time—has been for the establishment of responsible government in this country, with adequate safeguards for the minorities. Now, on this motion, we are called upon to judge of the action of the Government whether they have made—if I may repeat it again—any adequate response to it. That, Sir, is the real issue. I listened to the speech of my Honourable friend, Pandit Motilal Nehru, and there is a great deal in it with which I agree. But there is much more in it with which I cannot agree. In the first instance, speaking from my place here, and with all responsibility, I think I must make it clear that I am not in accord with the Congress policy or the Congress programme. I will go no further than that on this occasion. I stand here firmly and deliberately to assert that our policy—the school of thought that I represent—is that we want the establishment of Dominion responsible government—nothing less and nothing more. The reasons, for supporting this motion, of other Parties may be different from my reasons. But what is the conclusion to which we are driven in this matter? The question being, whether the Government have made any and what response, have the Government met us? That is the question.

Now, Sir, before I deal with my Honourable friend who, of course, represents the Government of India, and—as far as this House is concerned—the British Government, the British Parliament and the British nation, the next point I want to make clear is this. I do not wish to enter into the controversy which has arisen out of the Nehru Report, but I think I should make it clear—and here again I do so with all responsibility—that the Nehru Report, speaking now on behalf of the Mussalmans,

[Mr. M. A. Jinnah.]

is nothing more than a Hindu counter-proposal to the Muslim proposals which were made in 1927, so far as the communal question is concerned. It has not been accepted by the Mussalmans.

Pandit Motilal Nehru: Question.

Mr. M. A. Jinnah: Whatever may be said, it is a fact, and the sooner we realise that fact the better; it has not been accepted by the Mussalmans of India

Pandit Motilal Nehru: By a section of the Mussalmans of India.

Maulvi Muhammad Yakub: By an overwhelming majority, with a few individual exceptions.

Mr. M. A. Jinnah: Sir, I know the Nehru Report is my Honourable friend's pet child; but I am speaking dispassionately, calmly and coolly, and I want him to realise, and the sooner he realises it the better--that it is not acceptable to the Muslims.

Pandit Motilal Nehru: It is.

Mian Mohammad Shah Nawaz (West Central Punjab: Muhammadan): Take a division on this point.

Mr. M. A. Jinnah: I can only repeat, Sir, that it is not acceptable to the Muslims; but I am not asked today to record my vote in favour of the Nehru Report, and so it is not necessary, for my purpose, to go further into the matter on this occasion.

Pandit Motilal Nehru: I am not asking you to do it

Mr. M. A. Jinnah: That is enough for me. Whether it is acceptable to the Muslims or not, I challenge any one to take a plebiscite. I say it is not.

Pandit Motilal Nehru: I say it is.

Mr. M. A. Jinnah: Well, Sir, I say that if my Honourable friend, the Pandit, remains under that delusion, he will fail in his object, which all of us have at heart, viz., attainment of Dominion responsible government; but I do not wish to enter into that controversy today any further on the floor of this House. Now, Sir, the question to my mind is this: Can we proceed further without the settlement of the Hindu-Muslim differences? Pandit Motilal Nehru said that the door is open. Well, Sir, it reminded me almost of the Government of India when he said that. (Laughter.)

Mr. K. Ahmed: He has learnt it during the last six years, Sir, and become very tactful.

Mr. M. A. Jinnah: If he had said this, which I would like to say on the floor of this House, that it is our business, it is the business of every Hindu and every Muhammadan to see that a settlement is arrived at between the two communities, and that we will see that a settlement is brought about between the two communities, I would have welcomed that statement; and I go further and I tell this House and I tell the country outside (*Mr. K. Ahmed:* "Hear, hear") that if you want to live as decent men in this country, settle the Hindu-Muslim question. If you

wish, all over the world, everywhere, to be treated otherwise than as pariahs or else remain as slaves and continue your present existence, settle the Hindu-Muslim question. If you settle the Hindu-Muslim question, you will acquire a sanction, a sanction which "the supreme authority of Parliament", which even my Honourable friend Pandit Motilal recognises now, will have to take note of, and will not dare to resist any united demand of India. But do not raise controversies amongst ourselves.

Pandit Motilal Nehru: Who is doing it?

Mr. M. A. Jinnah: You.

Pandit Motilal Nehru: You.

Mr. M. A. Jinnah: Now, Sir, I never interrupted in the long speech of Pandit Motilal Nehru

Pandit Motilal Nehru: I raised no controversy at all; I tried to steer clear of all controversies.

Mr. M. A. Jinnah: Good gracious me. I hope the Honourable Member will read his speech. I could have interrupted my Honourable friend, with justification, but I showed better taste, because, after all, he is the Leader of a Party, and I listened to every word he said with the greatest attention. But he follows a different course—a course of a heckler—which I regret. Sir, I will pursue the matter no further.

Now, Sir, having cleared the ground so far, I turn to my Honourable friend the Home Member. Of course, he said he was not prepared for this sort of issue being raised. But I ask him, does he or does he not know what we did in 1924? Does he not know what Resolution we passed in 1925? Does he not know the history of this constitutional issue, which has been the subject of such terrible controversy every year since 1921? What response has he made? The response that he has made is the appointment of the Simon Commission, a Commission—again this is a controversial matter and I do not wish to enter into the details of it on this occasion—a Commission which certainly was not acceptable to this House and was so voted down. And we are told today by the Government that they stand by the declaration of 1917. Well, that declaration was made in 1917. Why do Government keep repeating the formula that they stand by that declaration? He who excuses himself accuses himself. The whole question is this. Are Government really meeting the demand which has been repeatedly made by this House or making a real response to it? That is the whole question. You remember, Sir, what happened after the Resolution of 1924 which was carried by an overwhelming majority of this House. It was then proposed by Government that the Muddiman Committee should be appointed. But political India thought that this was a device for delay and dilatory tactics. I remember it, and I am quoting it from memory. The then Prime Minister of England, Mr. Ramsay Macdonald, made a speech, and assured India that this was not intended to be dilatory tactics, that they were in earnest, but it was necessary that a preliminary inquiry should take place as to the working of the constitution under the Government of India Act of 1919, and that would enable them to see whether any substantial advance was possible within the scope, the structure and the policy of this Act. If not, then they would have to consider the question of overhauling the constitution, which would be a different issue, and the terms of reference to the Muddiman Committee were in that

[Mr. M. A. Jinnah.]

form. The Muddiman Committee investigated and inquired into the whole question. Their powers of investigation and inquiry were unlimited, but their powers of recommendation were limited to the four corners of the Government of India Act of 1919. But it was open to them, if they thought that no substantial advance could be made within the Act, to recommend that the Statute should be overhauled. The recommendation of the Muddiman Committee ended in a Minority Report, which afterwards became a Majority Report. It suggested that the whole constitution must be overhauled, and that, for that purpose, a suitable agency should be appointed. The Report was published, I think, in 1925. The Government, in the meantime, so far as Parliament was concerned, changed, and other persons took up the responsibility of His Majesty's Government, and the thing remained in abeyance. In the meantime, this House went on, year after year, urging the Government to move. Nothing was done, except a speech from a Secretary of State for India, in July, 1925, which was a famous speech, and I think he is largely responsible for some of our minds being exercised in the direction of framing constitutions which, in my personal opinion, is a great mistake. He taunted the people of India, and we have set ourselves on the sacred mission of framing constitutions. Well, Sir, after that, we passed a Resolution in August, 1925, to which my Honourable friend Pandit Motilal Nehru referred. We were told, before we passed that Resolution, that the British people were not slaves of dates, the appointment of a Commission could be accelerated, and that they were only waiting for the fulfilment of one desire, and that was to see the responsible leaders co-operating with the Government. Sir, they suddenly discovered, after waiting for more than two years, in 1927, that the responsible leaders and the country were co-operating with the Government, and they announced the Simon Commission, which was a bolt from the blue. Now, Sir, what a scheme, what a step, what a response, is this? I ask the Honourable the Home Member whether he really thinks that he is satisfied with it? Is anybody satisfied with it? Now, we are told, "Oh, we have appointed the Commission; the Commission is engaged in its inquiry; so nothing more can be done until they publish their Report". Is that all that we have to hear from you and acquit you of this charge that you have failed to take any step towards making any adequate response to our repeated demands? Sir, I can only say that the Government have evaded the real issue in this House. It may be that the Honourable the Home Member purposely does not wish to enter into the merits of the real issue, and he takes shelter under this position that the Government stand by the declaration of 1917, the Commission is engaged in its inquiry, and asks what more do we want them to do, and so forth. Well, Sir, it is for the House to decide. I say that there is only one course open to us, now on this motion, and that is to pass this vote of censure against the Government, for failing to make an adequate response to our demands repeatedly made on the floor of this House.

Pandit Thakurdas Bhargava (Ambala Division: Non-Muhammadan): Sir, every year, on the occasion of the annual budget, the cut on the Executive Council is moved, but this year this cut has got a special importance on account of the particular circumstances under which it arises. Before the year 1926, the national demand was placed before the Government, and the Government used to say that the ten years were not yet out, and the time was not yet ripe for considering the national

12 Noon.

demand, though the Government were themselves a party to the passing of a Resolution in this connection, which said that, before the expiry of ten years, the time for reconsidering the situation should be hastened. But, as we are all aware, the Simon Commission came in 1927. This Commission, as is known to everybody, was not one which could be accepted by India. It may be that the provisions of the Government of India Act were not contravened by the appointment of a purely Parliamentary Commission, but, at the same time, it is too much to say that the Government of India Act only countenanced a Commission of this kind. The after-history is known to every Member of this House, how the Commission came, how it announced the procedure, and how in a discussion in this House, Mr. Jayakar proposed to the Government some alternatives, whereby the Government could secure the co-operation of India. But the Government did not yield and they said that the Commission would go on merrily, and would finish its work, in spite of the defiant attitude which certain sections in this country adopted. The position of inferiority of the proposed Central Legislature Committee as regards the Report, the accessibility to evidence, and other matters was discussed in this House, and the House boycotted the Commission. After that, as we all know, the Congress passed the resolution of conditional non-co-operation.

Now, the position is this. On the one hand, we are told that, until this Commission presents its Report and the Report is considered by Parliament nothing can be done. On the other hand, the boycotters of the Commission say, "Since we have not participated in the work of the Commission, we are not going to consider the Report of that Commission." As regards the Nehru Report, the position of the Government of India is exactly like the position of the Congress in regard to the Simon Commission Report. We have heard from His Excellency the Viceroy that, since the Parliament of Britain had no voice and part in bringing out the Nehru Report, therefore it was unreasonable on the part of the Congress to expect that Parliament would be a mere registrar of the decisions of a body in which Parliament had no representation. The same reason is assigned by those who did not co-operate with the Simon Commission, that, so far as they are concerned, they have got nothing to do with the Report of the Simon Commission.

Now, Sir, it was said in the beginning that Great Britain was the arbiter of the destinies of India and that the people of India had nothing to do with it and that they had no right or title to speak for themselves, and it was Parliament which had the last word to say on the subject. This theory of the divine right of kings was promulgated by the authorities at acme, and it was said that the time and the method of advance was the concern of Parliament alone. History repeated itself, and those people who be-headed kings and dethroned them, saying that kings had no divine right, appeared in the role of those kings themselves and did not admit that Indians had the inherent birthright of Swaraj. In fact, this was a mistake, as subsequently it was almost admitted to be a mistake. We know that His Excellency the Viceroy said on the 28th January last—I am quoting his words:

"It would seem evident, however, that what all people must desire is a solution reached by mutual agreement between Great Britain and India and that, in present circumstances, the friendly collaboration of Great Britain and India is a requisite and indispensable condition to obtain it. On the one side it is as unprofitable to

[Pandit Thakur Das Bhargava]

deny the right of Parliament to form its free and deliberate judgment on the problem, as it would be short-sighted of Parliament to under-rate the importance of trying to reach a solution which might carry the willing assent of political India."

Now, Sir, in fact the position which is now stated is not what it used to be and it is considered that, for finding out a proper solution of the problem, the views of India are to be known and India has got a voice in framing a constitution for itself. The position is not even correctly stated in the words which I have quoted, but these words do contain a substratum of the principle which, if rightly applied, will certainly make for a solution of the *impasse* in regard to India's right to constitutional freedom.

Yesterday, my Honourable friend, Mr. Shah Nawaz, proposed another *via media* and that was this. After the Simon Commission has reported, there might be a free conference of representatives of the two Houses of Parliament, and the representatives of India may be invited there, and then there may be a round-table conference. Now, Sir, I am rather surprised at this.

Mr. K. Ahmed: Why are you not surprised at the Nehru Report? Is it because it suits you at our cost?

Pandit Thakur Das Bhargava: There are people who are surprised at the Nehru Report also, but I am fortunately not one of them. There are people who, in the circumstances in which some of them find themselves today, will be surprised about themselves. I will submit something about the Nehru Report later on. At present there is a suggestion like this. This is a suggestion coming from Mr. Shah Nawaz and not from the Members of Government. There was something of this nature breathing in the speech of His Excellency the Viceroy. Some people interpreted the coming of Mahatma Gandhi to Delhi in this connection in this very light, but I want to know . . .

Mr. K. Ahmed: On a point of order, Sir. Is the Honourable Member in order in referring to your invitation and the Viceroy's coming there also? What has that got to do with this cut?

Pandit Thakur Das Bhargava: If my Honourable friend, I am sorry to use the expression, is obtuse enough not to understand the implications of what I am saying, I am not responsible for it.

Mr. K. Ahmed: I am not a Nationalist like you.

Pandit Thakur Das Bhargava: If to be a Nationalist in this country is a crime, I am guilty of that crime, and I cannot congratulate my friend on being a denationalised being.

Mr. K. Ahmed: I am not a vegetarian at the same time; I am a meat eater.

Pandit Thakur Das Bhargava: I was submitting for your consideration that a suggestion was made to get out of this *impasse*. What I am complaining of is that Government did not make any suggestion of that sort. This cut is intended to demonstrate that Government have failed to bring about a satisfactory solution of the present situation.

Mr. K. Ahmed: You have also failed.

Pandit Thakur Das Bhargava: I am not the Government unfortunately.

Mr. K. Ahmed: Because it does not suit you.

Pandit Thakur Das Bhargava: I was submitting that no such suggestion came from Government, and in so far as Government have failed to make any suggestion in this respect, this cut is perfectly justified. After all, this cut only represents that the Government in this country and the Government of Great Britain have not risen to the occasion, and there is a bankruptcy of statesmanship. We hear from His Excellency the Viceroy that the Government of Great Britain and all right-minded people are anxious to bring about a solution. Sir, His Excellency the Viceroy said on the 2nd February, 1928:

"In such matters it is well to remember that constitutional forms are nothing but instruments in the hands of men responding to the skill of the craftsman, as the plain chisel in the hand of the expert sculptor."

We have waited to see if really the instruments which men made for certain purposes are less than the men who make those instruments. In this case this has yet to be exemplified, that, as a matter of fact, in the words of His Excellency, "men are greater than the instruments they make use of". Up to this time no constructive suggestion has been made as to how these opposite views or opposite factions will be reconciled. When the Nationalists in this country speak of non-co-operation, Government come forward with the plea that they have got a fundamental right to govern. When the Government say that law and order ought to be respected, the Nationalists in this country very justly say that they have a right to see that they get

Mr. K. Ahmed: Because they are not a nation.

Pandit Thakur Das Bhargava: Because they have got a right to see that they get a government which is just, and therefore their non-co-operation is justified. Taken by themselves, both propositions are perfectly correct. No Government would like law and order to be broken, and which people in the condition in which we are would go on without making proper efforts to set the Government right?

Mr. K. Ahmed: Set right yourself first.

Pandit Thakur Das Bhargava: Now, Sir, if the Government cannot understand the burning passion for freedom in the bosom of my countrymen, it is the Government who are to blame. Mahatma Gandhi said that the hunger for freedom was greater in him than the hunger for bread, but leaving aside the hunger for freedom, if the Government were capable of appreciating the hunger for bread alone, which justifies all the efforts that a nation can make for freedom, the Government would not be blaming the Nationalists of India. The Government Members have only to go to certain parts of the Ambala Division and certain parts of the United Provinces to see for themselves what havoc hunger is making among the people. Men and cattle are actually dying of starvation. It is not a matter of mere words. Poverty is grinding the people, and they are committing suicide, because they have got nothing to eat.

[Pandit Thakur Das Bhargava.]

Now, Sir, this story, of how India's trade and industries have been ruined by Great Britain, is an old old story, and at this stage I need not enter into that, but I want to know what the Government have been doing during the last ten years. It may be said that we have got three Indian Executive Councillors. I would reply, Sir, much as I value the existence of Indians on the Executive Council, take away all these three Indian Councillors, but give us what the recommendations of the Skeen Committee's Report propose. That really goes to the root of the whole question. What is the use of telling us, every day, that the declaration of 1917 stands? It may stand, or it may not stand. The truth is that, in all these ten years, Government have done nothing to advance us on the road to self-government. It was said by the Honourable the Home Member yesterday that we have got a debating society. Take it away; we are not enamoured of a debating society. The point is whether self-government or self-governing institutions, which have got real power for good, are established in this country. A Resolution passed in this Assembly is not given effect to. What is the use of passing Resolutions which are not given effect to? So far as self-government is concerned, this Government has not parted with any shred of its power in favour of the people. Then again it was said that Indians were incapable of framing a constitution. Now that a constitution has been framed, it is said that the constitution is not satisfactory. Now, Sir, I know that the Honourable the Leader of the Opposition has said that the merits of the Nehru Report are not to be discussed, and I am not going to discuss any of the salient points of that Report, especially those relating to communal questions. Now, Sir, it has been said that the son of the Leader of the Opposition does not accept the decision of the Nehru Report about Dominion status. That is wrong. There are people in this country who believe in independence, because the Government do not agree to anything reasonable, but, at the same time, it must be said that there is a consensus of Indian opinion on the point that the goal is Dominion self-government. Now, this cut, as proposed by the Honourable the Leader of the Opposition is to this effect, that since the Government have failed to concede that Indians should get Dominion self-government by January 1st, 1930, this cut is justified. I was very glad to hear from the gentlemen who spoke before, that they share this view. I am glad that Mr. Jinnah has supported the cut. The whole situation is this. The Government say they are anxious to give us self-government. We say that we are anxious to get self-government. Then who is there between the two parties, who is there who stands between the Government and ourselves? (An Honourable Member: "Mr. Kabeer-ud-Din Ahmed!") Some gentleman says, Mr. Kabeer-ud-Din Ahmed

Mr. President: Order, order.

Pandit Thakur Das Bhargava: I am not going to discuss whether he is an effective barrier or not, but at the same time it is clear that there is something which is wanting, which does not allow a solution to be arrived at, and that is to my mind the incapacity or inefficiency of the Executive Council, or the Government of this country.

Mr. K. Ahmed: We are not a party to the Nehru Report.

Pandit Thakur Das Bhargava: They lack imagination. Perhaps they also lack the power that should bring the two parties together, and the real cause is more deep-rooted. As a matter of fact, it is the selfishness of Great Britain which does not allow any compromise to be made. This greed of Great Britain has reduced this country to a state of things in which the people have nothing but agriculture to depend upon. England wants that India should produce raw materials, and then England wants that India should always buy her manufactured products. Unless England gets rid of that mentality, unless the relations are changed, unless the mentality of England is changed, my humble submission is that it is absolutely futile to hope for a solution of the difficulty. Therefore the real position is this, that unless Great Britain changes her policy and changes the entire outlook, there can be no solution of the difficulty.

I submitted, on another occasion, Sir, that since, between these two parties, Great Britain and India Great Britain is in a more favourable position, it is her duty to inspire confidence in India. India is bound to be suspicious, because the past treatment of Great Britain towards India has been of such a nature that that treatment cannot inspire confidence. This is not a question on which one can be doubtful. The question of questions is whether Great Britain considers it to her advantage to inspire that hope; and we expected a gesture all these years, but the gesture is not forthcoming, and that is why I support this cut.

Mr. President: Maulvi Muhammad Shafee.

Mr. K. Ahmed: All Swarajists, Sir?

Maulvi Muhammad Shafee (Tirhut Division: Muhammadan): Sir, I was given to understand

Mr. K. Ahmed: I have been standing from the very beginning.

Mr. President: Order, order.

Mr. K. Ahmed: Unfortunately, Sir, I could not catch your eye this time also it seems.

Maulvi Muhammad Shafee: I was given to understand that the cut on this motion relates to a hardy annual, and that it was a matter which would not contain anything (*Munshi Iswar Saran*: "Will you speak up?") of a controversial nature. That is the reason why I was unavoidably absent yesterday when Pandit Motilal Nehru made his speech. I have seen that speech today in the *Hindustan Times* (*Munshi Iswar Saran*: "Louder, please.") That is all my information. When I read that speech, I found that there were very many things in it, to which I have to take exception. I thought that Pandit Motilal Nehru, when he made that speech, would not give occasion to any of the Congressmen to take any exception to it. He knew very well that the Mussalmans, as a body, don't accept the Nehru Report.

Pandit Motilal Nehru: Question.

Maulvi Muhammad Shafee: That is absolutely true. I cannot imagine that, if a few here and there give their support to the Nehru Report, that that will be called the support of the Mussalman community. I am sure, and I believe everyone who understands the politics of the country will also be sure, that the Mussalmans, as a community,

[Maulvi Muhammad Shafee.]

certainly do not accept the Nehru Report (Hear, hear); not only the question which relates to communal representation, because that is contained only in one page of it (Mr. K. Ahmed: "See the contents"), but there is something in the principles on which the Report has been drafted to which exception has been taken by the Mussalmans. But certainly I am not here to introduce those controversial matters on the floor of this House, and I thought the same might have been done by Pandit Motilal Nehru, and then no occasion would have arisen for me to rise up and speak on this subject. (Mr. K. Ahmed: "So, speak up.") I am not a believer in constitution-making by men who cannot enforce them. Constitutions are made by those who can enforce them. We are not in a position to make any constitution. We have of course to struggle for the freedom of our country. We have got to go on with the struggle as far as we can, and when we are in a position to enforce our will, it is then and then only that some constitution can be made by us. But there is one thing which we could do before we try to make a constitution, and that is to create harmonious relations between the different communities in India; because I know the problem of India is the problem of establishing harmonious relations between the different communities in India. That is the only question in India. If once we succeed in doing that, I think there will be an end to our trouble. But before doing that, an attempt has been made, the nature of which you very well know, and which is to be found in the Nehru Report. However we thought that we, Mussalmans, being in the minority, would have some good gesture from the majority community, on which we could proceed ahead on the path of freedom of our country, but when we found that the majority community was not willing to make any gesture, we could not keep ourselves quiet. We made our offer in March 1927. The offer was such a reasonable offer, at that time, that Pandit Motilal Nehru himself welcomed it and approved of it and moved a resolution at the All-India Congress Committee at Bombay in May 1927.

Mr. M. S. Aney (Berar Representative): On a point of order, Sir, is the Honourable Member in order in going into the history of the matter?

Mr. President: I am trying to control the debate as far as I can.

Maulvi Muhammad Shafee: I would not have gone into it had not Pandit Motilal Nehru referred to it in detail.

Pandit Motilal Nehru: I did not refer to any controversial subject.

Maulvi Muhammad Shafee: You have referred to the history of the Nehru Committee and the development of it, and also to the position which it has attained in this country.

Pandit Motilal Nehru: No, I did not.

Maulvi Muhammad Shafee: However, that is my reading of it. In fact you drafted a resolution and got it passed unanimously in the All-India Congress Committee in May, 1927, at Bombay, and in my Honourable friend's absence, our friend Mr. Srinivasa Iyengar did his best to bring about harmony between the two communities in India during the time of his Congress Presidency. I should say that he succeeded, to a very

great extent, in bringing about a compromise and composing the differences at Calcutta in the All-India Congress Committee and he was really crowned with success in his efforts in his own town of Madras when he brought about unanimity and passed that resolution regarding Muslim and Hindu differences.

Mr. President: The Honourable Member is not entitled to go into details.

Maulvi Muhammad Shafee: I am just coming to the point. I was just telling you, Sir, that the thing was practically settled, although the Muslim community, as a community, did not like those solutions. But there were, among the Muslims, those who thought that the Mussalmans should sacrifice a great deal if they wanted to obtain freedom for this country, and that is the reason why, in spite of the community not being agreeable to that solution, they advanced that cause so far as they could. But when Pandit Motilal Nehru came back from England

Mr. President: Order, order. I am afraid I cannot allow the Honourable Member to proceed in that strain. I must point out to the Honourable Members that they are perfectly within their rights, so long as they make a general statement that they are in agreement with the Nehru Report or in disagreement with that Report. But I will not allow them to enter into and discuss its details.

Maulvi Muhammad Shafee: In a speech which was made in reference to the cut on the Executive Council Grant, I submit, no reference should have been made to all these matters. Of course, we are at one with the Honourable the Mover when it is said that the Government has been callous in not responding to the demands of the Assembly. That is a matter on which we are all agreed, but we cannot allow the report which we are contesting so vehemently outside to be a subject-matter of discussion in this House which has nothing to do with this motion. But if the Honourable Pandit makes it clear

Honourable Members: He made it clear.

Maulvi Muhammad Shafee: I do not understand how he made it clear when he said that the latest form which the national demand has taken was the Nehru Report. I do not think that is making the position clear.

Honourable Members: Read further.

Maulvi Muhammad Shafee: Further, I find, he has, in diplomatic words, said many things about the Report itself, but only to show that the Report has been practically accepted by the people and that there is only some difference here and there on minor questions. My point is that the thing should not have been mentioned at all before it was settled outside. Here only those things should be mentioned which are matters which refer to Government. That is to say, we are here before a third party, and in putting our point of view before them, we should confine ourselves only to such things as do not refer to ourselves. Here, I find that a thing which refers to ourselves has been put forward in the garb of a cut on the Executive Council. That is my objection to it and I therefore thought that I should give vent to my feeling on this question in these words.

Mr. M. E. Jayakar (Bombay City: Non-Muhammadan Urban): Sir, I should have preferred that, in a debate of this importance, only the leaders of Parties spoke.

An Honourable Member: Why so very selfish?

Mr. M. E. Jayakar: I am expressing my own opinion when I say this. I do think that this is a very important debate, in which every word that a speaker uses counts. That being my sense of responsibility, I should have preferred to remain silent but for the desire of my Leader to my right that I should make my humble contribution to the debate at this stage. Sir, my justification for intervening in this debate is my feeling that we are diverting from the main purpose of this cut which I entirely support. It may be due to words used by one speaker which provoked another to reply, but I do submit, for the consideration of my Honourable friends, that the main purpose of this cut, which its Honourable Mover described as a hardy annual, is to express the united voice of the Opposition—my Honourable friends will mark my words—the united sense of the Opposition of dissatisfaction at the attitude of government on the constitutional question. We are not here concerned with the individual opinion of a particular Party, the Congress Party, the Independent Party or of the Nationalist Party. These Parties have their own platforms outside this Assembly for propagating their own individual views and converting the country to them. The Nehru report is one view of that description. (Hear, hear.) Therefore in my opinion, the purpose of this debate is to express the united conviction of the Opposition whether the Government have made any, or if so, an adequate, response to the demand of the Opposition which is called the national demand. We are not concerned with anything else in this debate and I have, for this view, the good authority of the Honourable the Mover of the cut, Pandit Nehru. In his speech—and I am quoting for that purpose from his speech—he made it perfectly clear what his own view in the matter was. He said: "This is not the place, nor the occasion, to discuss details of that constitution", (meaning the Nehru Committee's Report), and he added, "I am not asking the House to adopt it, either in whole or in part". He mentioned the Report merely as an important event which happened in the course of the year. Since then he has made the matter clearer when, e.g., he said, this morning, that he was in no way asking the vote of the House on the adequacy or sufficiency of the Nehru Report. It is only in the nature of an experimental scheme suggested for the adoption of the country. This House is not asked to adopt or reject it. I am anxious that the debate should not go into extraneous channels, or the vote of the House be asked on irrelevant grounds. This debate, I do submit, is confined to this narrow question whether the national demand has evoked any response from Government.

Colonel J. D. Crawford (Bengal: European): What is the national demand?

Mr. M. E. Jayakar: *Ex hypothesi*, the national demand meant here is the demand which was asserted in this House year after year. It can not mean the Nehru Committee's Report, which saw the light of day only last year. The meaning of the phrase "national demand" was stated on the floor of this House as early as 1924-25. (Hear, hear), and for the edification of that doubting Member, who interrupted me just now, I will

state that, whatever our differences may be, whatever conflict of views may exist between Hindus and Muhammadans, Congressmen and non-Congressmen, Independence *wallahs* or non-Independence *wallahs*, we are all united in this House in that we want in this country, as soon as possible, full responsible government of the dominion type, with proper and adequate safeguards for the minorities. (Hear, hear.) That is the national demand. One particular party may elaborate this demand, as the Nehru Committee did, another political party may elaborate it in another way, e.g., the Musalman's demand in Delhi. These are all elaborations of one common aspiration, which is the united demand of the Opposition in this House and which is the only subject matter of the debate on this occasion, namely, the establishment in this country at the earliest period of time, of full responsible government of the dominion type, with proper and adequate safeguards for the minorities. In spite of differences of detail, we can today unite in restating that demand, with the same unanimity as before, since 1924. When the critical occasion arises, proper safeguards will be provided; but it is no use Honourable Members on the opposite side drawing a red herring across the path of the Opposition. Today we know—and nobody is more conscious of it than myself—that when we come to the details, there are important differences of opinion which have to be adjusted. And in that matter, I will say, Sir, that I am surprised that there are not more differences of opinion than there are at the present moment. Somebody wants a federal type of Government inside the dominion status; another wants the residuary powers to be in the Central Government and not in the Provincial Government. These are matters of detail, on which there are important differences—I am well aware. But this debate is not the occasion for fighting over these differences. My way, Sir, of looking at these differences is somewhat novel. My Honourable friends may not share my view—but from my experience, I have come to regard these differences in regard to details, e.g., between Hindus and Muhammadans, Congressmen and non-Congressmen, as due to a feeling of unreality and despair which exist in this country. It is something like two children fighting over baubles—neither of them feels sure that he is going to get what he wants. The Hindus and the Muhammadans today, Sir, are both fighting over these small details, because they both live and quarrel in an atmosphere of academical discussion. They do not feel certain—if they felt certain it would be otherwise—that today England is serious or will agree to grant them at once what the two communities agree upon having. I will throw a challenge to my Honourable friend the Home Member. If he wants to prove that my diagnosis is wrong, let England today declare that India will receive whatever constitution, the Hindus, Muhammadans and the other minorities, sitting together in a solemn conclave, decide. When that day comes, causing a feeling of hopeful responsibility, I can assure the Honourable Members opposite that these same fighting Hindus and Muslims will settle their quarrels in one day. (Hear, hear.) Hope and responsibility are the only cure for these quarrels. Instead of them, a feeling of unreality overtakes us when we sit down to frame the constitution. Speaking for myself, I should have preferred that we made no constitution at all beyond what this House stated in 1924 and 1925. (Hear, hear.) That was a sufficiently good constitution upon which we could have gone on together. (Hear, hear.) We walked into Lord Birkenhead's trap when we accepted his so-called challenge. We thereby magnified our differences, long long before the promised land was in sight.

[Mr. M. R. Jayakar.]

Differences thrive in the atmosphere of irresponsibility. There are differences here and there, they will always exist in this country. This is too big a country, too intelligent a country, to ensure that we can expect complete unanimity in academical debates. We are not dealing with, for instance, uninformed or uneducated tribes of the native population as in South or East Africa; we are dealing, in this country, with intelligent people. Therefore, these quarrels, these disputes, these differences, must exist, until the day of doing business across the table arises. They do not frighten us at all. It does not lie in the mouth of England to say "Oh, these disputes are there, we cannot do anything". I am very glad the Honourable the Home Member has not come out today with that stock argument. He has not said, "So long as you are not united in opposition, how can you get what you want?" If such an argument were used, my answer would be, let England declare, through her responsible statesmen, that India will have full responsible Government, details being left to the Hindus and Muhammadans, the Sikhs and the Europeans and other minorities to decide, and I am not far from the truth when I say that the people will have enough sense and public spirit to settle their quarrels in a short time. But what prevents them now from doing so is the feeling that, if one yields—the Muhammadan to the Hindu and *vice versa*—one may not get the entire scheme, of which the concession was only a part; but that England may pick a part of the agreement between the two communities, and use it to further its own design of "divide and rule". Neither feels sure that England means business. They are still using one community against another and growing fat over their disputes, and postponing the evil hour. Therefore, my way of looking at these Hindu-Muslim differences is that they are all unduly magnified in an atmosphere of irresponsibility. They are like differences between irresponsible children. Indians do not feel that they have the power of getting from the British Government what they want, and, as long as they do not feel that, these differences will continue to exist. I know, Sir, something of the Hindu feeling, and I know something of the Muhammadan feeling too; and I can assure my Honourable friends there that it is no use exaggerating these differences, especially on this occasion. Nobody is called upon to express any opinion about the Nehru Committee's Report at all. That is absolutely outside the debate. All that we are asked to express our opinion by way of voting on this cut motion is, "Do we think that any response has been made to the demand which has been stated on the floor of this House since 1924, in the clearest terms possible?" In the framing of that demand all the important men in the Assembly, in those days, had a hand, all the leading men in the Opposition belonging to the several Parties—the Nationalists, the Congress or Swarajist Party, as it was called then, and the Independents—took their share in the framing of that demand. Has that demand been responded to? Have Government made any response to that demand? That is the only question before us, and so stated, there can be only one answer to that question, that the Government have not made not only an "adequate" response, but any response at all. As an indication of their mentality, take that latest exploit of Government only 24 hours old. They appear to have sent a despatch in which they have very nearly recommended that Civilians should become Chief Justices of Indian High Courts. I am taking only one instance. . . .

The Honourable Mr. J. Orerar (Home Member): No, Sir. My Honourable and learned friend is not quite correct; the effect of the Bill is to declare them eligible.

Mr. M. R. Jayakar: I was referring to the Press report, Sir. I was not present in the House when the statement of the Honourable Member was made. I am referring to the Press report on this matter, and I take it to be correct. The Government have either supported the proposal for the I. C. S. Judges or they have gone against it. The Press report, which I read this morning, was to the effect that certain questions put to the Honourable the Home Member were answered by him, which gave the impression that Government have not reflected public opinion in this connection, by opposing the view that I. C. S. Judges should be made Chief Justices of the High Courts in India. I am perfectly accurate in stating that; and if I am wrong, the Honourable the Home Member may get up and say that the Government have opposed that view in their despatch to the Secretary of State. As it is, I am entitled to take it at that. Now, Sir, we can take that, as an instance which happened 24 hours ago, to see which kind of wind is filling the Government sails. Are they responsive to the popular view, or are they still die-hard? I am only taking that as the latest instance. I do not want to go back into the past history of the Simon Commission, because that question has been worn threadbare in this House. But I am pointing out that Government are still unresponsive to the national will even in small matters, where no big principles are involved, or where no questions of high policy enter, where the claims of a narrow service, the I.C.S., are concerned, and where the intelligent opinion in the country, represented by Bar Councils and other important men, who know what they are talking about, has unmistakeably expressed itself. I say that even in a small trifle like this, the Government do not respond to public opinion. That is a clear commentary upon the main theme of this debate, namely, that Government have not a bit changed their angle of vision. If, on a small matter like this, they will not make themselves the spokesmen of the popular sentiment, *a fortiori* will they not do so where a large question of national demand is at stake.

I do submit, Sir, that every reasonable Member of this House, whether he is a Hindu or a Muhammadan—and I am anxious that our vote should be united on this question—should give his vote in favour of this cut. Whatever our differences, the Government are not concerned with those differences. In the language of the law there is no priority between Government and us on this point. Those are differences amongst ourselves, and we shall settle them when the time arrives. We have very nearly settled them, and even those which still remain to be settled will be settled shortly; we must take care to see that Government do not take advantage of them. It does not lie in the mouth of this Government to say: "Well, as long as those differences are not settled, we do not propose to move". What is the answer of the Honourable the Home Member? A most extraordinary answer! He reminded us of an ancient incident, the declaration of 1917. A good deal of water has flown under the bridge since then. Of that, he takes no note. He further says "the Commission is sitting, wait and see what the Commission does", just as if Government will bury its head in the sand like the ostrich and refuse to take note of all that has happened in the country since 1917. That, I submit, Sir, without using any stronger expression, is an insulting answer to the popular

[Mr. M. R. Jayakar.]

demand. Government will not recognize what is patent, that the bulk of the politically-minded section of the people—I may almost say without exaggeration, a very large bulk of the intelligensia of the country,—the men with whose assistance alone Government can carry on their government, have not recognised the Commission at all. What is the use of trotting out the Commission as an answer to the demand of this part of the House, repeated since 1924, year after year? For years we have gone on asking Government to change their system of Government. What have they done in reply? My Honourable friend's answer is: "Look at the declaration of 1917". He wants us to look at that declaration, with the same pious hope with which the trustful Muhammadan will watch the light of the moon on the horizon this evening! "Look at the 1917 declaration! Look at the Commission which is going round from place to place, and take consolation from these two portents, and be content". That is the answer given by the Honourable the Home Member. In my opinion, Sir, it is a travesty of our aspirations. Sir, I trust, that this cut will be carried.

Colonel J. D. Crawford: Sir, I rise to say that I find myself, and I think the Members of the European Group find themselves, in some doubt as to what they are called upon to vote for. I would ask the Honourable Pandit, who moved the amendment, and therefore presumably has the right to declare, what it is he is asking the House to vote on, to give me some idea of what it is he really wants. I think we on these Benches are left with the impression that the Honourable Pandit is prepared to stand for Dominion status, that is, the maintenance of the British connection, but that he attaches to it a proviso of a definite time-limit. Am I correct in that position? Presumably I am.

Pandit Motilal Nehru: For a short answer, I will borrow the language of Lord Birkenhead, and say that wise men are not slaves of dates. But if I am allowed to elaborate it a little, I will say that it depends upon what happens in the interval, upon the response that the national demand—as I still persist in calling it,—gets at the hands of England. England may make it impossible for us even to wait till the appointed time. England may make it quite possible for us to wait even after that time. It all depends. As to this Report, as I have already said more than once, I am not subjecting it to the vote. I have, in clear words, withdrawn it as far as I could from the verdict of the House, as must be evident to the House from what I said. It is now before a much higher tribunal,—in fact, the highest tribunal in the world, that is, the Indian people. I would rather have their verdict, than the verdict of the House. I hope I have made myself clear.

Colonel J. D. Crawford: I think the Honourable Pandit has made his position clear, but he has again sat on the fence. It is over this question of the interval. Now I don't think my community would disagree with the Honourable Pandit as to the final goal to which we are to move; but they do find themselves up against it when they are asked to assist in bringing that goal into being within the period of the limit which has been laid down, if not by the Honourable Pandit in this House, outside.

Pandit Motilal Nehru: We can settle that among ourselves.

Colonel J. D. Crawford: And one is met by an atmosphere of mental reservation. Now the Honourable Pandit is a courageous man, and he should have the courage of his convictions. I believe he considers that the British connection should be maintained in the Dominion type of government.

Pandit Motilal Nehru: Of course.

Colonel J. D. Crawford: And we entirely agree with it. Any talk of independence, and we can never stand with him. I want to know, I should like to know very much, what is the opinion of that section of the House, and their Leader is here, who say that our goal is independence. We do not mind accepting Dominion status as the goal, but to them it is only as a step to independence. That is a position from which we on these Benches can never meet our friends on those Benches. We want a definite, clear statement that Dominion status is the goal.

Pandit Motilal Nehru: Sir, when I and my Party use the words "Dominion status", we use them in the proper sense of the words, with all their implications, that is to say, with the same sort of connection with Great Britain as subsists between Great Britain and the other Dominions—nothing more, nothing less.

An Honourable Member: And all the powers.

Pandit Motilal Nehru: And of course all the powers that the Dominions possess. When we say independence, we mean that we go beyond, we go outside the British Empire, altogether. I am talking of those who say that they are working for independence. But both of us, I mean both wings of the Congress, are united upon this, that, for the present, subject to what I have just stated about the time-limit, we both will have Dominion status, that is to say, Dominion status in no other sense than the well-understood sense of the term and of the type which Canada, Australia, South Africa, and the Irish Free State enjoy. But if, in what we consider a reasonable time, we cannot get it, that is to say, it is not conceded to us, then we shall be free to follow our own programme, which is already before the country.

Colonel J. D. Crawford: I again do not think that the Honourable Pandit's answer is as clear and as courageous as I would have liked him to have made it. I would like him to say "It is not my intention, or that I will not attempt, to sever the British connection". That is a statement which is perfectly clear. But if you hedge it round by a sort of hint that, later on, under Dominion status, you will have the power to go for independence, and there are people who ask for that, we are not able to accompany you. We are prepared to lay our own cards, that is, so far as the non-official European community are concerned, entirely on the table.

Pandit Motilal Nehru: May I say one word more, Sir. As long as I use the words "Dominion status", I use them in the sense of Dominion status, and not merely as a step to get complete independence. But when I speak of complete independence, I speak of it independently of Dominion status. I say Dominion status has nothing whatever to do with it. It is either one or the other.

Colonel J. D. Crawford: Well, that sounds to me very much like a threat which is not going to bring us all into agreement. There is no settlement of this constitutional question, unless we can find some agreement among ourselves.

Pandit Motilal Nehru: I say it is not a stepping stone to independence.

Colonel J. D. Crawford: And I do not think that threats are likely to bring us into that atmosphere in which agreement can be found. Now, my Honourable friend Mr. Jayakar made a statement of his actual position and the position of the Independent Party. He says what they want is the establishment in this country of full responsible government of the Dominion type, with adequate safeguards for minorities, as soon as possible. Am I quoting the Honourable Member correctly? Yes. Well, now, I do not say we have any great difference of opinion with my Honourable friend Mr. Jayakar.

Pandit Motilal Nehru: That is the only point before the House.

Colonel J. D. Crawford: Yes, but you cannot ask the House to accept these points with mental reservations which you make to the public outside. That is our point. On the floor of this House you should declare straightly, and without any mental reservation, what your attitude is if you expect people on this side of the House to come into agreement with you.

Pandit Motilal Nehru: For the last time, Sir, I declare emphatically and in as clear language as I am capable of, that we are asking 1 P.M. for Dominion status of the type which my Honourable friend, Mr. Jayakar, has described. That is what I have sought to put to the vote and that is the demand which has been made in this Assembly. But we do not get it and my friend wants to know, "What next?" I declare as emphatically as I have declared in favour of Dominion status, that if Dominion status is not granted, the Congress will strive for complete independence, independence in the completest sense of the word.

An Honourable Member: That is a threat.

(Pandit Malaviya rose to speak.)

Colonel J. D. Crawford: Sir, I have given way to my Honourable friend, because I was anxious to clear up the position. We frankly will not face the talk of independence. I would have liked to have heard the Honourable Pandit come out and say "I will fight with you against independence".

Pandit Motilal Nehru: I will, if it becomes necessary.

Colonel J. D. Crawford: I am glad to hear the Honourable Pandit say that. That is all I want to hear from the Honourable Pandit. He has made his position perfectly clear.

Now, Sir, there is one important point in what my Honourable friend, Mr. Jayakar, says. He says "with adequate safeguards for minorities". Here again I would charge the Honourable Pandit, whose work I admire in calling together an All-Parties Conference, with lack of courage. He never invited us. He would not invite to that conference those who had a real difference of opinion with him.

Pandit Motilal Nehru: I beg to differ. I think Colonel Crawford is suffering from lapse of memory. If I am not mistaken, we have a communication, signed by himself, in the office of the All-Parties Conference, telling us, on behalf of the European Group, that what they wanted, before they were asked to take part in the Conference, was to have our decisions. They wanted to know what we were going to do before they expressed their willingness to join the Conference. We could not tell them that.

Colonel J. D. Crawford: I think the Honourable Pandit is correct about that letter, but he made no effort (Laughter from the Congress Benches) to reply to our letter or to endeavour to get us to come and talk with him and with his colleagues. I think, equally with the Muhammadans, he made a mistake in not getting those who were in the greatest opposition to him and taking them into his confidence. He showed a lack of courage, which has left that atmosphere of suspicion, that you are out to intrigue a constitution, instead of getting real agreement that every one wants. That is one point on which I frankly criticise the Honourable Member's work, valuable though I recognise it to be.

Now, Sir, Mr. Jinnah has asked us to vote on what is an entirely different issue from what I understood the Honourable Pandit's motion to be. He asked us to assist him in a vote of censure on Government for not having made a reasonable response to the national demand. We find some difficulty on these Benches in making out what the national demand actually is. I mean that you cannot get away from the fact that there are still vast differences of opinion as to what the nature of your constitution should be. We have differences of opinion; the Muhammadans have differences of opinion, and sections of the Hindus themselves have differences of opinion as to what should be the new constitution. Until we can settle those differences, we cannot very well get on with granting Dominion status. The authority at the moment, everybody admits, rests with Parliament. They have the control and they have to hand power over to somebody: to whom are they going to hand it over? That is the difficulty. Until we get some agreement, or share the burden of the new responsibility in equal proportions of the people, you cannot get Dominion status. That is our difficulty—perfectly frank, perfectly straightforward

Diwan Chaman Lall (West Punjab: Non-Muhammadan): Call a round table conference.

Colonel J. D. Crawford: Between whom? My Honourable friend, Mr. Acharya, made a point the other day (*Cries of "Oh"* and Laughter)—a criticism with which I agree, that the political power today is in the hands of the Hindu urban party. It is a fact today and they are naturally using their political power to retain as much as they possibly can in the new constitution. I recognise it, and so do we all on this side of the House recognise it; and I think my Honourable friends on the other side must not object if we should criticise them and point out that those are their aims. Other people also have a right to say "No, we also wish to get a share in the loot".

Sir, there is another difficulty we have got to face. I also believe that you have got to bring the masses somehow into your picture. I do not say it should be done today, or that it is absolutely necessary before

[Colonel J. D. Crawford.]

Dominion status is granted; but you have got to have schemes which will make it perfectly clear that these people will be able, under modern political conditions, to defend themselves against oppression. You have got to find some machinery whereby you can ensure that.

Pandit Motilal Nehru: It is there in the Report.

Colonel J. D. Crawford: The Nehru Report? I do not want to discuss details, but adult suffrage is not necessarily the best means of accomplishing that end. If you look at the history of Italy, you can see how easily an uneducated electorate can be worked by astute politicians for the ends, not of the country, but of the particular politician himself. That is how Mussolini got into power by abuse of Parliamentary institutions: they can be abused.

That is the position. I understand now that the Honourable Pandit is a whole-hogger for Dominion status, and that he will fight against independence. I do not understand what is the position of my Honourable friend, Mr. Srinivasa Iyengar, and those who think with him

Mr. S. Srinivasa Iyengar (Madras City: Non-Muhammadan Urban): I will speak for myself.

Colonel J. D. Crawford: My Honourable friend, Mr. Jayakar, puts forward a proposition in which I cannot say that we materially disagree; though we may have some difference of opinion as to the nature of the safeguards and the length of time within which it is possible to bring into being our declared intentions. That, I think, Sir, clears up the matter in so far as I am concerned. I wanted to know where I stood before I made up my mind. I have been asked to ask the Honourable Pandit if, in his Dominion status, he includes protection for minority communities.

Pandit Motilal Nehru: Especially Europeans.

Colonel J. D. Crawford: Certainly, Sir. We Europeans want our protection just as much as others. Our position is perfectly clear. We want stability in the Government; we want justice, and we want protection against discriminatory legislation. (Laughter and *Cries of "Haji's Bill!"*) If the Honourable Pandit and his Party can show us practical sympathy in regard to measures that are now before the House, then perhaps we can have fuller confidence in what he is doing.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Mr. President, the questions which have been raised in this debate have naturally excited some feeling, but I am glad that Colonel Crawford put a few questions directly to the Honourable Mover of this motion, and I am very glad that he is satisfied that the Honourable Mover of the motion has made his position very clear. Now, Sir, what is wanted at this stage is that everybody in this House should understand the exact nature of the motion before the House and should confine his mind to it. As my Honourable friend, Mr. Jayakar, has made it clear, and as indeed Pandit Motilal Nehru himself made it clear, the motion is for a cut in the Demand for a grant for the Executive Government in order to express our protest against the attitude of the Government towards the national demand. This House has, year

after year, expressed that demand. That demand has now been supported, to an extent to which it never was supported before by all political parties in this country. Even in this debate we have heard my Honourable friend, Mr. Shah Nawaz, say that he is clearly and unequivocally for Dominion status. We have heard Mr. Jinnah say that he stands for it. My friend, Sir Abdur Rahim, in Bengal has declared himself in favour of Dominion status. Sir Ali Imam, the Maharaja of Mahmudabad, and many other distinguished members of the Muslim community the names of some of whom appear today in the papers, have declared themselves in unequivocal terms in favour of Dominion status. I submit, Sir, that this large body of opinion, in favour of Dominion status, for which we are indebted to the Nehru Report, cannot be mistaken. There is no other proposition which holds the field today, and I submit that there is no statesman or politician worth the name who has put forward any other scheme which has appealed to the country. I ask every Member of this House, European as well as Indian, to consider this vital fact—and I repeat that there is no responsible man, there is no responsible party in the country, which has asked for anything less than Dominion status.

Now, Sir, this Dominion status is not the demand of today. It is not a demand put forward for the first time by the very admirable Report of the Committee over which my friend Pandit Motilal Nehru presided. This demand was formulated years ago, decades ago, by the Indian National Congress, and since the Reforms were introduced, this demand has been reiterated in this Assembly many a time. Now, that demand is, as has been made indisputably clear by the questions of my friend Colonel Crawford, for Dominion status, with due safeguards for the rights of the minorities. Who ever imagined that the Members of this House wanted Dominion status without due safeguards for the interests of minorities?

Colonel J. D. Crawford: It has not been made very clear up to date.

Pandit Madan Mohan Malaviya: I cannot take up the time of the House by trying to make the position clearer to my Honourable friend here, but if he is anxious, as I am sure he is anxious, honestly to understand the position, I place my services at his disposal, and at the disposal of his party, and I will take them through every provision which has been laid down to safeguard the interests of the minorities, and I will satisfy him that, for the first time in the history of British India, the Nehru Committee's recommendations have been drafted in such an excellent form that they have brought about a large agreement in the country, even about the clauses which are laid down for the protection of minorities . . .

Colonel J. D. Crawford: No, no; there is more room for discussion there.

Pandit Madan Mohan Malaviya: I grant that there is room for discussion. I am not so foolish as to imagine that the Nehru Committee's Report is, or that any report framed by us human beings for a political constitution will be so perfect as to leave no room for discussion. I am sure that my Honourable friend will concede that much of common sense to us. We grant there is room for discussion, and

[Pandit Madan Mohan Malaviya.]

we invite such discussion. We have said from the first time that we came into these reformed Councils, that we want the Government to bring about a round table conference consisting of officials of the Government, of non-officials and of representatives of the people of various parties, representatives of Europeans, Hindus, Muhammadans, Christians, Sikhs and Parsis, in fact of every one who is interested in the advancement of the country, so that the matter could be discussed without passion, without prejudice, on the merits. But the Government did not respond to this very reasonable demand of this Assembly. On the other hand, a challenge was thrown in our face, that we had not the capacity or the ability to produce a constitution. Sir, we laboured to draft a constitution, and thank God we succeeded, and our success has been appreciated by the country as a whole. I deplore the fact that there are some Mussalman friends who do not

Maulvi Muhammad Yakub: Not some, but nearly all, with a few exceptions.

Pandit Madan Mohan Malaviya: When the Deputy President of this House says not some but nearly all with a few exceptions, I lower my head. I am sorry that he should use the language of exaggeration

Maulvi Muhammad Yakub: Certainly, I have not used any language of exaggeration. It is my friends who are using the language of exaggeration

Pandit Madan Mohan Malaviya: My friends, shouting those words will not carry us very far, and I ask my friend, and every one else who agrees with him, to tell me whether the Maharaja of Mahmudabad, whether Sir Ali Imam, whether Dr. Ansari, whether Moulana Abul Kalam Azad, whether Mr. Abdul Kadir Kasuri and a number of gentlemen whose names I place before him—and which are published in the *Hindustan Times* today—I ask him to tell me whether all these gentlemen and thousands of others

Mr. Muhammad Yamin Khan (United Provinces: Nominated Non-Official): They do not constitute the Muslim community in India.

An Honourable Member from the Swarajist Benches: Neither do you.

Mr. Muhammad Yamin Khan: No. But Sir Ali Imam has said that he has represented his personal view, and that he has not represented the view of the community.

Pandit Madan Mohan Malaviya: My friend is entitled to repeat whatever Sir Ali Imam has said. I am not claiming that the Muhammadans, as a whole, have agreed to all the details of the proposed constitution

Mian Muhammad Shah Nawaz: As a whole they have not agreed.

Pandit Madan Mohan Malaviya: I would remind my friend of one thing. At the All-Parties convention at Calcutta my Honourable friend Mr. Jinnah went, with only a few points which he said were outstanding points.

Mr. M. A. Jinnah: Sir, do you really wish that this matter should be gone into in detail?

Mr. President: I would ask the Honourable Pandit not to enter into details. The question whether the Muhammadan community, as a whole, have accepted or rejected the Nehru Committee's Report is not in issue.

Pandit Madan Mohan Malaviya: Now, Sir, I only wish that the differences which exist should not be exaggerated, but should be considered calmly and in a spirit of fairness to all parties. I have said that we had asked for a round table conference. Today's motion repeats our protest against Government having disregarded our request; it repeats our protest once again against the Executive Government of the country, because the Government have not responded to the appeal made by this House. We also say that, if such a round table conference were arranged, there is material enough, there is agreement enough in the country about the main provisions which should form the basis of a constitution for a Dominion Government, which would bring about great unity in the country. I ask my friends who want to emphasize the differences to tell me whether there is any political proposition in the world about which differences of opinion do not exist? Is it conceivable that, at any time, you will get every Mussalman, every Hindu and every Christian in India, to endorse in full any constitution that may be framed? Is it not likely that there will be some who will hold out to the end owing to differences on some points? Therefore, what has to be done, is to take the constitution which has so far been agreed to and to discuss the questions which remain to be discussed, with a view to settle them. It is one thing to take up this question to exploit the differences and use them as reasons against any attempt to make a constitution an accepted or agreed constitution. It is quite another thing to take up the points of difference and discuss them with an honest desire to meet the wishes of those who have got suspicions or apprehensions, with a view to remove those apprehensions. Now, that applies to all, whether they be Hindus, Muhammadans, Indian Christians or Europeans. The Nehru Report has, in broad outline, made it abundantly clear that it wishes to take note of all the various existing interests. We have sense enough to understand that to establish Dominion status in this country, we want, above all things, goodwill and unity among all sections of the people inhabiting this country. We are anxious to have the Dominion form of government; and on behalf of all of my countrymen, who have been asking for this Dominion status, on the floor of this House, I once more ask every brother, every fellow man, to extend his sympathy to us, to discuss the matter which we are discussing in a spirit of friendliness, to help us with the experience which some of them may have of the working of such a system in other countries, to point out to us where we are going wrong, to help us to correct ourselves, and to share the credit of having helped to establish a Dominion form of Government in this country, which will redound to the credit of England and to the good of India. That is our position. We are not out to quarrel with anybody. I grant that there are differences, but should those differences be magnified? Are they large enough to stand in the way of the British Government agreeing to establish Dominion status in this country? We should not forget the history of the differences which existed in Canada, the quarrels which existed between French Canada and British Canada, at the time when responsible government was established there. Think of the difficulties

[Pandit Madan Mohan Malaviya.]

which existed in South Africa, and yet remember the large spirit in which those who had fought against the British Government were called in to take charge of the government of the country.

I wish to make it clear, Sir, that when my friend, Pandit Motilal Nehru, said we are out for Dominion status, and when my friends, Mr. Jayakar and Mr. Jinnah, said that we want Dominion status, they meant and we all mean Dominion status with all its implications of the British connection. We do not want to sever the British connection. But those who are opposed to Dominion status being established here will, if they succeed, compel us to sever the British connection. We have no wish to sever it. We desire to maintain our connection with England, but we want that you, our English fellow subjects, should be fair to us; we want you to deal with us as fellow men, who have been endowed with the same natural reasons, desires and feelings as you have been endowed with. We ask you to help us to establish full Dominion status with all the power to build up our army, to build up our services, to build up our industries, to regulate our commerce and to regulate our banking. If you will do so, you will find a river of goodwill flowing between you and us. If, on the other hand, you will make too much of our differences, of our difficulties, of the divisions, which must exist in the present state of the country, you will deepen the feeling which already exists against you. Power and patronage rest with you, and there are men thirsting for food, thirsting for water. It is not surprising that some of them should be tempted by the opportunities to cast in their lot on the wrong side, because there is something to be gained by it. We want to lift them above that; we want to lift them to a higher sphere; we want that there should be the possibility of greater prosperity in this country, which will lead to greater goodwill between all sections and all races inhabiting this great land. (*Some Honourable Members: "Hear, hear"*). That is what we want, and it is in that light that I invite my Honourable friends to consider this question.

Sir, I will say this to Government. Our complaint against the Government is that they have not yet made a proper response, an adequate response to our demand. It was not enough that the Government appointed the Muddiman Committee. Did the Executive Government of the country inform the Government of His Majesty in England of the actual state of feeling of the people of this country and of the Members of this House? Did they inform them in 1924 that our demand was for Dominion status, with due safeguards for the interests of minorities? Due safeguards for minorities must, of course, be provided for whenever responsible Government is established, whether it be established today, or ten years, or twenty years hence. Due provision must be made for the protection of minorities. That is understood, but what the Government was expected to do was to inform the British Government that public opinion in this country was absolutely united on the question of Dominion status. Did they do so? If they did so, did they press the question of a round table conference for a discussion of this question? It has been said that we are trying to belittle the authority of the British Parliament. Nothing of the kind. We do recognise that, though by an accident, Parliament holds power over this country. We recognise that we must go to Parliament to have that power transferred to our hands. We have no quarrel as to this. What we say is that the Executive Government of India failed correctly to

represent to the British Government the demand of this House for a round table conference and supported instead the appointment of an exclusively British Commission, the appointment of which has been regarded as an insult by the great bulk of Indians throughout this country. It is no good the Honourable the Home Member telling us, on the motion for this cut, that he is powerless today. You were not powerless. You had the power to represent to the British Government the actual feelings of the people of this country, and I charge you, the Executive Government—I am sorry to have to use that expression—I charge you with having failed to represent, truly and faithfully, the feelings, sentiments and wishes of the educated people of this country, who are represented by us in this House. Not only that, you have done worse. You have persistently flouted the educated public opinion of this country, as it has been represented in this Assembly, on every important matter on which it was within your power to show greater consideration for that opinion. In every important matter I say,—time won't permit me to enumerate them. In the matter of training Indians for the higher ranks of the Army, we know how you dealt with the Report of the Skeen Committee. In the matter of banking, in the matter of the 1s. 6d. ratio, in the matter of the appointment of an Indian on the Railway Board, in the matter of appointments of Indians in other Departments, even according to the recommendations of the Lee Commission, you have not done your duty. You have not played the game, I am sorry to say, with this side of the House, and that is the reason, why, situated as we are, we must record our protest against your general attitude towards us. We know that the Simon Commission is sitting. We know that the Commission is examining documents and recording evidence. We know that Parliament will not take up the question of a change in the constitution at present. That does not affect the point before the House. What is our position? We are here as elected representatives of the people of this country. You bring forward this demand on behalf of the Executive Government. We are dissatisfied with the constitution of that Government; we have expressed our dissatisfaction over and over again with the existing system of Government, irresponsible and bureaucratic as it is. We have asked that it should be replaced by a responsible system of government. Those who have it in their power to do so have not responded to our demands. You come to us for a vote to support the system. Is it reasonable, I ask my Honourable friends on the opposite side, is it reasonable to expect us to give that vote? Shall we not be stultifying ourselves, if not forgetting all that we did during the past years, if we vote the demand? Shall we be able to satisfy ourselves before the people whom we are here to represent, if we fail to record this protest on this important occasion, when the whole question of the revision of the constitution is before the British Parliament? Shall we allow it to be said that the Members of the Assembly, having voted against the Simon Commission, were content to leave the question of the next change in the constitution to be dealt with on the footing of any small recommendations that might be made by that Commission? If we did so, should we be true to the people whom we have come here to represent? No. By the motion before us we wish to help you also to be true to the people, whose interests have been confided to your care for the moment. We want you to represent to the British Government that this is the position, that you cannot get a grant of Rs. 66,000 to be sanctioned by this Assembly for carrying on the work of the Executive Government, because the Assembly desires the existing

[Pandit Madan Mohan Malaviya.]

system to be replaced without further delay with a system of full responsible Government of the Dominion type, and because it has reason to be angry with the Executive Government because they have not done their duty by the people for the past so many years. That is the reason for the motion which is before you, and I ask every Member of this House to look at the question in this light and vote only in one way, namely, against the demand which has been moved. I am very sorry that it should be so, but we are today in such a position that, if we want to be true to ourselves and therefore to the Government, as representatives of the people, whom we are here to represent, we cannot subscribe to the demand. There is no question of any personal feeling against any member of the Government. Everybody understands that it is a matter merely of principle. It is a protest against the system of Government which obtains, and it is a protest by which we want to declare, once again, that we shall not be satisfied until the present system has been replaced by another system which we have clearly indicated.

Some people have found fault with my Honourable friend, Pandit Motilal Nehru, for having brought in the question of the Nehru Report. I ask, is it reasonable for any one to suggest that Pandit Motilal Nehru, being the President of the Congress, and having taken all the trouble that he has taken in the preparation and publication of that Report, having moved about in the country and seen that thousands and thousands of people have assembled to support the main provisions of that Report, that he should have forgotten that Report, put it aside on the shelf and not referred to it at all? I suggest that he would have been guilty of a gross dereliction of duty and it would have been the part of un wisdom if he had omitted to refer to that Report. You have to take the Report as representing the largest measure of agreement in the country among Hindus, Mussalmans.

Mr. President: Order, order.

Some Honourable Members: Question.

Pandit Madan Mohan Malaviya: I submit with very great respect that, when I say that it represents a large measure of agreement among Hindus, Mussalmans, Christians and others, I am absolutely right. I challenge any one to say . . .

Mr. K. Ahmed: Absolutely wrong. (Laughter.)

Pandit Madan Mohan Malaviya: Let the opinion of the Honourable Member remain on record, but I repeat that a large body of public opinion among Hindus, Mussalmans and Christians is in favour of it and I am absolutely correct

Several Honourable Members: No, no.

Mr. M. A. Jinnah: I must absolutely contradict this statement.

Maulvi Muhammad Shafee: No body of Mussalmans have accepted it.

(Pandit Madan Mohan Malaviya rose in his seat.)

Mr. President: Order, order. The Honourable Member is not in order in repeatedly referring to a question which is not in issue. I hope the Honourable Pandit will not do so now.

Pandit Madan Mohan Malaviya: Of course, I must bow to your ruling, but in view of the remarks that had been made in the previous portion of the debate, I felt it

Mr. President: Remarks have been made on both sides.

Pandit Madan Mohan Malaviya: In view of those remarks, I felt it my duty to draw attention to that aspect of the Report which has been generally accepted in the country, and I submit—without having any desire to go against your ruling—I submit that I am entitled to say on the floor of the House that that Report has received a large measure of support.

Mr. President: That is the Honourable Member's opinion. Other Members are entitled to hold their own opinions.

Pandit Madan Mohan Malaviya: I do not quarrel with that

Mr. President: The Honourable Member is wholly irrelevant. We cannot decide on the floor of the House who is right and who is wrong.

Mr. Muhammad Yamin Khan: Will my Honourable friend be quite willing to take the votes of the Mussalman Members of this House on that issue?

(Pandit Madan Mohan Malaviya rose in his seat.)

Mr. President: I won't allow the Honourable Member to go on emphasizing this aspect of the question, namely, whether the Nehru Report has the support of the majority of the people of this country or not.

Pandit Madan Mohan Malaviya: The point that I wish to make a reference to is, how does the country stand? We have before us the question which has been raised by this motion, and I only want to say that the matters which have been brought to the notice of the House are sufficient to justify the motion which has been brought forward by my Honourable friend. The Honourable Mover of the Resolution himself said that he has not asked for the vote of this House on the Nehru Report, nor do I. The question before us is whether all sections of the House have recognised it their duty to assure the Government that this country demands Dominion status, and whether they will unite in putting on record that opinion, not out of any ill-will towards the Executive Government, not as a personal censure upon the Members of the Executive Council, but as a matter of principle, in order to show to Parliament and to the world that educated and intelligent opinion in India is practically unanimous in demanding Dominion status, with due safeguards for the rights of minorities. I hope that every Member of this House will consider this question in its full importance. I agree with my friend Mr. Shah Nawaz when

[Pandit Madan Mohan Malaviya.]

he said that he expected Parliament to do justice. I do hope with him, that Parliament will do justice, but a very great duty lies upon Members of this Assembly in this matter. That is, that we put forward a dispassionate, calm and correct view of the situation before those who have it in their power to decide this question, to inform them of the facts of the situation, to help in removing misunderstandings, all of which will make the task of the establishment of Dominion status easy and feasible. Some Members made a complaint that the Congress had fixed the date of one year, for the acceptance of the demand. As my Honourable friend Pandit Motilal has already said the date does not matter if the right spirit is indicated by those in power. You must remember that the impatience and the intolerance of which it was said to be the index, is based upon the history of a very long period, and you must not ridicule, or make light of, the feelings and sentiments of those who differ from you. It is high time that every one interested in British India, in the connection between India and England and in the continuance of goodwill between Englishmen and Indians should take an earnest interest in the settlement of this question at the earliest possible date. Passion and prejudice must be laid aside, and there should be no misunderstanding about what the country needs. I hope every one here is satisfied that the country needs Dominion status. I therefore plead for sympathy and co-operation from every Member of this House in emphasizing that view, and as an evidence of that sympathy and co-operation and not as a matter of ill-will towards the Executive Government, I ask that votes should be cast in favour of the motion which my Honourable friend Pandit Motilal Nehru has moved.

Several Honourable Members: I move that the question be now put.

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

The Assembly divided:

AYES—47.

Abdul Matin Chaudhury, Maulvi.
Aney, Mr. M. S.
Belvi, Mr. D. V.
Bhargava, Pandit Thakur Das.
Birla, Mr. Ghanshyam Das.
Chetty, Mr. R. K. Shanmukham.
Chunder, Mr. N. C.
Das, Mr. B.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Goswami, Mr. T. C.
Gulab Singh, Sardar.
Haji, Mr. Sarabhai Nemchand.
Hans Raj, Lala.
Iswar Saran, Munshi.
Iyengar, Mr. A. Rangaswami.
Jayakar, Mr. M. R.
Joshi, Mr. V. V.
Kidwai, Mr. Rafi Ahmad.
Kunzru, Pandit Hirdav Nath.
Lahiri Chaudhury, Mr. D. K.
Jalchand Navairai, Mr.
Malaviya, Pandit Madan Mohan.
Mehta, Mr. Jannadas M.

Misra, Mr. Dwarka Prasad.
Mitra, Mr. S. C.
Moonje, Dr. B. S.
Mukhtar Singh, Mr.
Naidu, Mr. B. P.
Nehru, Pandit Motilal.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Phookun, Srijut T. R.
Purshotamdas Thakurdas, Sir.
Ranga Iyer, Mr. C. S.
Roy, Mr. B. C.
Sarfaraz Hussain Khan, Khan Bahadur.
Shervani, Mr. T. A. K.
Singh, Kumar Ranajaya.
Singh, Mr. Gaya Prasad.
Singh, Mr. Narayan Prasad.
Singh, Mr. Ram Narayan.
Sinha, Kumar Ganganand.
Sinha, Mr. Rativaranian Prasad.
Sinha, Mr. Siddheswar Prasad.
Tilak Kvi, U.
Yusuf Imam, Mr.

NOES—56.

Abdul Aziz, Khan Bahadur Mian.
 Abdullah Haji Kasim, Khan Bahadur
 Haji.
 Acharya, Mr. M. K.
 Ahmed, Mr. K.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmed, Khan Bahadur
 Nawabzada Sayid.
 Bajpai, Mr. G. S.
 Bower, Mr. E. H. M.
 Bray, Sir Denys.
 Chalmers, Mr. T. A.
 Chatterjee, the Revd. J. C.
 Coatman, Mr. J.
 Cocke, Sir Hugh.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dalal, Sardar Sir Bomanji.
 Farookhi, Mr. Abdul Latif Saheb.
 French, Mr. J. C.
 Gavin-Jones, Mr. T.
 Ghazanfar Ali Khan, Mr.
 Gidney, Lieut.-Colonel H. A. J.
 Hira Singh, Brar, Sardar Bahadur,
 Honorary Captain.
 Ismail Khan, Mr. Muhammad.
 Jowahir Singh, Sardar Bahadur Sardar.

Keane, Mr. M.
 Lal, Mr. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Moore, Mr. Arthur.
 Muhammad Nawaz Khan, Sardar.
 Mukharji, Rai Bahadur A. K.
 Mukherjee, Mr. S. C.
 Rainy, The Honourable Sir George.
 Rao, Mr. V. Panduranga.
 Rau, Mr. H. Shankar.
 Rau, Mr. P. R.
 Roy, Mr. K. C.
 Roy, Rai Bahadur Tarit Bhusan.
 Sams, Mr. H. A.
 Sassoon, Sir Victor.
 Schuster, The Honourable Sir George.
 Shah Nawaz, Mian Mohammad.
 Shillidy, Mr. J. A.
 Simpson, Sir James.
 Singh, Rai Bahadur S. N.
 Singh, Raja Raghunandan Prasad.
 Stevenson, Mr. H. L.
 Sykes, Mr. E. F.
 Webb, Mr. M.
 Yakub, Maulvi Muhammad.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was negatived.

Mr. Muhammad Yamin Khan: Sir, when the cut was proposed by my Honourable and learned friend, Pandit Motilal Nehru, I was very carefully listening to his speech, and I thought that he would show to this House that the Executive Council had been responsible for some kind of action which might have arisen since the last Budget was discussed last year. When last year the Budget was discussed, we had before us already the Simon Commission. We had many of the issues which have been discussed to-day, and the most appropriate time for discussing these issues was last year and not this year. There is only one thing which has come before us and which is fresh, and which was not present last year at the time of the discussion of the Budget, and that is the framing of the constitution by different bodies. Government is blamed by my Honourable and learned friend for not having responded to the wishes of this House, which were expressed in 1924-25. Well, Sir, this is a good accusation, if we convince this House that the Government was in any way responsible for this ignoring of the demands which were put forward by this House, in any way. As far as I remember, the question was discussed in 1924 in this House, and in the other House. There was one desire which was expressed, and it was this, that an inquiry should be made earlier than 1929, which was the statutory period fixed under the Government of India Act. The reforms which were introduced into the country in 1919 came in practically the beginning of 1921, and though some doubt was expressed from certain quarters whether an earlier period

[Mr. Muhammad Yamin Khan.]

than 10 years was an appropriate time to consider the fresh demands of the country or not, and the point was raised.

Mr. President: Order, order. The House stands adjourned till 10 minutes to three.

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

Mr. Muhammad Yamin Khan: Sir, when the House rose, I was speaking about the position as it was in 1924-25. Then, both Houses of the Indian Legislature demanded from the Government that an inquiry into the Reforms should be made earlier than 1929, which was the statutory period fixed by the Government of India Act. At that time the Government of India's point of view was that it was much too early to ask for any inquiry before 1929. Some quarters, at that time, expressed doubts about the inquiry being complete, because they knew perfectly well that one wing, at least the Swarajist wing, had kept out of the Assembly in the life-time of the first Assembly, from 1921 to the end of 1923. During the first Assembly some Honourable Members did not choose to come into the Assembly. The only work which was done by the whole of India, which could be cited as representing all views, was that which was started in 1924. In 1924, only just after a year had elapsed, an inquiry into the working of the present reforms was supposed to be very early in their career. But at that time the arguments which were advanced in favour of an earlier inquiry were these, that whether the Commission was appointed in 1928 or 1929, the matter would be the same, because the third Assembly would come into existence in 1927, and would continue up to the end of 1929, and that the working of the present reforms would be well judged by the Commission in starting its inquiry in 1928, instead of 1929. In spite of this view, in spite of the Government not agreeing to this principle, they conceded to the opinion and to the desire of both Houses of the Legislature and they sent the opinions of both Houses of the Legislature to the British Government, and the result was that a Commission was appointed to go into the system and into the working of the present reforms to see whether they were suitable or not suitable to India. I am not going into the controversy as to what kind of Commission was sent. But the Commission did come. We may have our differences on the personnel of the Commission, but I can only say about the Government of India and the Executive Council that they had only one choice, and that choice was to ask the British Government to send somebody to inquire into the working of the present reforms. The point as to what kind of Commission came last year was thoroughly discussed in the House last year. We had full opportunity to express our opinion or dissatisfaction against the personnel of the Royal Commission in this House before the budget was discussed in 1928. Therefore that point is absolutely out of date now and the same point cannot be discussed now.

The second point is, what is the thing which the Executive Council has done within this period, since March last, for which we can hold them responsible, and for which we can express our opinion in this way, namely, by cutting off their travelling allowances, especially after the Royal Commission has been appointed. Of course, I do not know how much the Government of India and the Executive Council impressed upon His Excellency the Viceroy, but there was something, and, as a matter of fact, a Committee was appointed by the Viceroy, and the different provinces also appointed their own Committees. Is it justifiable for the Government of India to take any initiative after an inquiry has been set on foot and is being conducted by a certain Royal Commission, and after two or three bodies have put up their own demands which also would go before Parliament as a result of a certain inquiry? There were some people who chose to go before the Royal Commission; they chose even to co-operate with the Royal Commission. They are having their own inquiry. At the same time there were other persons who did not choose to go before the Royal Commission or to sit even in the Central Committee. They had their say in another way. Although they did not like to stand the test of cross examination before the Royal Commission, yet they had before them a kind of opinion which they formulated in certain shapes and forms. Now, it may be said there were three bodies which formulated those opinions. One suggestion was thrown out by certain Mussalman leaders in 1927 at Delhi. It was the kind of suggestion which was left to the rest of India to accept or not. When those suggestions went before the country, the Congress, which presumes to represent the whole of India, which has never denied this fact that it has been representing the whole of India, and which still claims to represent the whole of India—it is the Indian National Congress which says it voices the feelings of the Indians—when these suggestions went before the country, the Congress accepted these very proposals which were put forward by the Mussalman members at Delhi. There were certain other sections among the Mussalmans, a very influential section of Mussalmans, there were very important bodies amongst Mussalmans who collected at different places and did not agree with those suggestions. They thought those suggestions were not properly safeguarding the interests of the Mussalmans in India. Since we are all well-wishers of India, those Mussalmans who want India to really press forward and develop and progress along right lines to gain Swaraj, those Mussalmans believe that nothing can be done unless and until the minorities, whether they be Hindus or Mussalmans in any provinces, are safeguarded as regards their interests. They sincerely believe that the Mussalmans will concede the same rights to Hindu minorities wherever they exist which they would demand for the Muslim

3 P.M. minorities in the provinces wherever they are in minority. That was their idea, Sir, and they formulated those different programmes as they considered them to be the best solutions. I am not saying what was the position or what was not; but the fact is there that an influential section of Mussalmans, who had collected at Delhi in 1927, consisting mostly of the elected representatives of the country, formulated certain schemes, which they wanted should be embodied in the reforms which were to come. They made it clear that if anything was taken out of those schemes, they would not accept them. Those schemes had to be either accepted as a whole or rejected as a whole. There was no

[Mr. Muhammad Yamin Khan.]

via media to be arrived at. This demand of theirs was accepted by the Indian National Congress, composed of all shades of opinion, both Hindus and Mussalmans. What happened later on? A committee was formed of a few gentlemen. Well, Sir, in it there was my friend Pandit Motilal Nehru. For him personally I have got great respect, and for him personally I can do everything. (Laughter.)

Mr. T. A. K. Shervani (Cities of the United Provinces: Muhammadan Urban): It would have been more appropriate if you called him your grand-father's friend.

Mr. Muhammad Yamin Khan: He may be your grand-father's friend, because you obey him like . . . who runs after his master's whistle. But, with all the respect I have for him, I am not prepared to agree with him here. If I find, in what he proposes, anything which may be detrimental to the interests of India as a whole, or which may be injurious to any community which may not be willing to accept his proposal, or which may be a hindrance to the advancement of the country, then I cannot accede to it. That Committee drafted a certain Report called the Nehru Report.

Mr. President: I must draw the attention of the Honourable Member to the fact that he is not entitled to go into details. Perhaps the Honourable Member remembers the observations I had made when Maulvi Muhammad Shafee was speaking.

Mr. Muhammad Yamin Khan: I shall obey your ruling, Sir, with the greatest care. I shall avoid saying anything which might bring in any controversy. I won't even go so far as to say whether it was accepted by the majority of the Mussalmans or not, although that point has been referred to here. It is, however, a fact that a Report was put before the country, which was wholly against the one which was drafted by the Mussalmans in Delhi in 1927, and which was accepted by the Congress in December, 1927. Now, Sir, it is a point to be considered whether this Committee, which formulated that Report, represents the whole of India or even the Indian National Congress. If my Honourable friend's contention is that it does represent the Indian National Congress and the whole of India, then that Report should have been drafted with reference to the Resolutions of the Indian National Congress which was held at Madras. If, however, it does not represent the Indian National Congress, well, I have got nothing more to say on it.

The second thing I want to refer to is that, side by side with the Nehru Committee Report, that is, say in the interval between March last and today, the All-India Muslim All-Parties Conference met in Delhi on the 1st of January this year. They came to absolutely different conclusions, and thought that they could not accept any reforms which did not contain at least the minimum demands, which they put forward. The Mussalmans assembled there did not want to bargain; if they tried to bargain, they would have put forward their maximum demands instead of their minimum demands.

An Honourable Member: What are the maximum demands?

Mr. Muhammad Yamin Khan: They said that, if those minimum demands, which they put forward, were not embodied in the Reforms by whomsoever framed, they were not ready to have those Reforms at all.

In these circumstances, I do not know what my friend wants the Government to do. He says he is not going to accept any constitution which is forced upon India from outside, meaning thereby that he would accept only a constitution framed by the Indians themselves. But what is the constitution that has been framed by the Indians? Are the Government responsible for the differences between the Hindus and the Mussalmans?

Honourable Members: Yes, very largely.

Mr. Muhammad Yamin Khan: Are the Government responsible for the Nehru Committee Report? Are they responsible for the Mussalman All-Parties Conference in Delhi?

An Honourable Member: Yes.

Mr. Muhammad Yamin Khan: Yes! As far as you know. Maulvi Muhammad Shafee, who is sitting in front of your Bench will deny this *in toto*. He is a Swarajist of Swarajists; and he is, in my opinion, next to none; and he is the one gentleman who can bear testimony to the fact whether the Government had any hand in it or not. It was he who was responsible mostly for that Conference. So, Sir, if the Government are not responsible for those differences, why then do you ask them why they have not granted Home Rule or Dominion status or self-government within one year? I cannot see the force of this argument. If the Royal Commission submitted their Report and said that you should have **Dominion self-government**, and if the Government of India opposed it as a body, then perhaps there would be an occasion for this House to express its views on that action of the Government. You now want to put the cart before the horse. You say that the Government of India are responsible for an action for which they are not responsible, and for which you and I are responsible. This amounts to asking for a vote of this House today—which in my opinion is not justifiable—on one condition, namely, whether the Nehru Committee Report has been accepted by a majority of the Mussalmans. My esteemed friend Pandit Motilal Nehru was speaking on behalf of the Mussalmans, and my friend Pandit Malaviya also thought he was speaking on behalf of the Mussalmans, when he said that a majority of Mussalmans agreed to this.

Pandit Motilal Nehru: I never said that.

Pandit Madan Mohan Malaviya: I did not say that. I said a large body of Muhammadan, Hindu and Christian opinion in the country supported it.

Mr. Muhammad Yamin Khan: What you said in this House forms part of the record and that record is read not only by Indians and Members, but that record is read by others, and is liable to be misconstrued if we did not think it our duty to get up here and make our whole position clear. From this point of view, I would request my Hindu friends not to try to misinterpret, not to try to show to the outside world what the Mussalman opinion is. Leave the Mussalmans alone. They are quite capable of expressing their own opinion. Some of us have already got up here. There is my friend Mr. Jinnah, who is the Leader of the Independent Party, and has a lot of backing from Mussalmans. He has told us very clearly that he does not agree, and his Party does not agree, with the Nehru Committee's

[Mr. Muhammad Yamin Khan.]

Report, and he said the Mussalmans do not agree with the Report. Then there is the Central Muhammadan Party sitting there, which has also voiced the opinion that the Mussalmans do not agree with the Nehru Committee's Report. Then there is a Swarajist gentleman, a Mussalman, Mr. Muhammad Shafee, and he says he does not agree with the Nehru Committee's Report.

Now I want to know what is the constitution which my learned and Honourable friend Pandit Motilal Nehru wants to be accepted by the British Parliament, and which he says should not be forced from outside but must come from inside. Well, if we had been able amicably to decide a constitution on which we all agree, and put it as a national demand before the House and before Parliament, and then they said "It won't suit you, we are going to reject it", or if the Government of India went against it, then there would be a grievance. But without that there is no grievance.

The second point raised by my Honourable and learned friend Pandit Motilal Nehru is this. He says that the Nehru Committee's Report might not have satisfied all communities, because the magnitude of work was so tremendous that it was not an easy matter to decide this in the short time which he had before him. Well, Sir, that might be quite true, but what was the hurry to put this Report before the country.

Pandit Motilal Nehru: I never said anything of the kind.

Mr. President: I think if anything has been made clear in this debate it is this, that this House is not called upon to decide in favour of or against the Nehru Report and I cannot allow Honourable Members to refer to it at any length.

Mr. Muhammad Yamin Khan: I am referring to it, Sir, as a casual matter, as to what it has got to do with the Government, with the Executive Council, whether they are responsible for any neglect within this last year to deserve a vote of censure. This cut having been announced, I am saying that the constitution.

Mr. President: That is not the constitution on which Pandit Motilal Nehru wants the vote of this House.

Mr. Muhammad Yamin Khan: I am open to correction by you, Sir; but as I understood it, the House is asked to vote for the cut of all the travelling allowance of the Executive Council because they have not done their best to get Home Rule for India within the last year, with a threat that, if they do not do it within the next year, or the coming nine months of this year, there will be a kind of non-co-operation. Well, Sir, that is the question which he has raised, and I will confine myself only to this. Sir, that whether it is the Government of India that is responsible for this, or whether we are responsible for it. (*An Honourable Member:* "You are responsible".) I am simply laying down that, with the magnitude of the work he had before him, if he could not solve it in the short time he had, how can he expect the Government to decide now: "Look here we can give you this Home Rule, for which we have no definite rules, no Act, nothing whatever, no details of any sort; but here and now you must have Dominion status Home Rule". Is it possible to expect anyone of us

here to give our vote simply on this basis? My Honourable friend, Mr. Jayakar, said " We have got our Resolution and we shall be satisfied if we get that ". But how can you get this demand unless the details are settled, and about the details he says they can be solved later on. Is it possible to solve the details later on and not to solve the real troubles beforehand? It is very difficult. After all the Mussalmans, being in a minority, may be blamed. But what about the Hindus of the Punjab? What were my friends Raja Narinder Nath and Bhai Permanand saying? What was their opinion? Theirs was the same position as was occupied by the Mussalmans as a minority and they have to face the same difficulty. Again, in Sind, the Hindus were not willing to accept a constitution which was acceptable to the Mussalmans, merely on certain grounds which were obvious. For oratorical purposes we may say anything, but you cannot make the country accept it. Some sense must be shown. You must grant so much intelligence to other people that they can understand what is the real motive underlying it. You may word it any way you like, but the purport, the essence of the matter, remains the same: the result is the same. And what I say is this, that the fate of the minorities should be decided by the minorities alone and not by the majority. If the majority is to decide the fate of the minority and say " Look here, you must be satisfied with this ", that will be a decision of the wolf about the fate of the lamb. It is for the lamb to see that he is quite safe from the wolf.

Mr. President: That is wholly irrelevant.

Mr. Muhammad Yamin Khan: I bow to your ruling, Sir, and I will drop this reference; but I will say this, that when no constitution has been made by our learned leaders.

Mr. President: The Honourable Member is repeating himself.

Mr. Muhammad Yamin Khan: That after this it cannot be said that the Government is responsible in any way. Sir, I oppose this motion.

Mr. S. Srinivasa Iyengar: Mr. President, I do not propose to occupy the time of the House for any great space, but my name was referred to both by the Honourable Member, Colonel Crawford, and the Honourable the Deputy President, and I owe it to the House to explain my position and exactly where I stand. I do believe in independence, and independence only, as the goal of India, and I think it is my duty to strive for it as much as I can. At the last Calcutta session of the Indian National Congress I agreed, and several of my friends agreed, as a compromise to the Congress Resolution which was adopted, and that Resolution is in substance this, that the Congress will adopt the All-Parties Constitution, if the Government, if the British Parliament, accept it only in its entirety and that, before the end of this year 1929, subject to the contingency of an earlier rejection. I stand by that compromise, and I propose therefore to say what I have got to say on the basis of that Resolution. But it must not be understood that I shirk answering Colonel Crawford's question when he put it to me. Would you fight against independence? Certainly not, even if Dominion status were granted. That is the only question I need answer. Other questions of course do not arise and I think it is unnecessary for me to answer any other questions. Of course questions can always be answered if they are a prelude to real business. But if there are merely rhetorical questions, put with a view to elicit some

[Mr. S. Srinivasa Iyengar.]

expressions of opinion, which can be used for the purpose of thwarting the common demand for Swaraj, I do not see why men like me should feel called upon to answer every conceivable question that can be put. I can put counter questions easily. I entirely agree with what the Right Honourable Pethwick Lawrence told me in London, namely, that it is not for us to present a constitution—it is for the Government to present us with a constitution. I really do not know what the constitution is, which the Honourable the Home Member is presenting the House with. He said "Well, I cannot say anything about it; there is the Parliament, there is the Simon Commission; we have no authority to give any reply to what you say." I submit, Sir, that that is a complete vindication of the position which we take up, that this Government ought to go. The Treasury Benches have no right to exist here in the way they exist at present, unless they arm themselves with full authority to negotiate or deal with us. What is the use of these unreal Treasury Benches which claim to be perfectly independent of any responsibility to us or to the people of India? They say Parliament alone must control the destinies of India. Sir Darcy Lindsay says that, and from his point of view I agree there is a great deal of force in it. But from my point of view there is little force in the contention which he raised yesterday, namely, that Parliament must have the last say in the matter. That will be only when there is business to be done between the Parliament and ourselves, between the representatives of Parliament, if there are any here, and ourselves. But if that is not the case, what is the use of asking first of all to agree to Parliament having the last say in the matter, a thing to which I do not agree, and then coming and saying "Parliament has the last say in the matter: you may say anything you like; we will consider it; we will sympathetically consider it; we will take time to consider it; we will appoint a committee; we will appoint a joint committee; we will go into this at great length; we know perfectly well what your interests are; as to that we are as good as your Swarajists; in fact we are super-Swarajists." I remember, Sir, one of my Honourable friends on the European Benches—I think it was Sir James Simpson, for whom I have got great affection—saying last year, in connection with Mr. Haji's Coastal Reservation Bill, that he was a Swarajist or super-Swarajist. That is the kind of thing that we hear, and therefore I consider that, so long as the Treasury Benches take up this *non possumus* attitude of saying that they really cannot tell us anything and it is for the Parliament and other parties to say what will be done, there is no use discussing these things. I have come to the very definite conclusion therefore that the Treasury Benches ought to go; and as far as this constitution under which we function today permits us to do, we must express our severest displeasure and our most unambiguous censure upon the Government for not yielding to the demand for Swaraj. I put it as Swaraj because I want to avoid a controversy as to what exactly it means. I presume that, so far the Congressmen are concerned its meaning is perfectly clear for this year and this year only. It says that Swaraj means the All-Parties Constitution for this year, in case, and in the case only the British Government adopts it in its entirety before the end of this year and subject to contingencies. I do not propose therefore to say anything more upon this question because, as I said, there must be conversations of a very business-like character if you mean business.

Sir, I am not one of those who believe in gestures, either on the part of some of us, or on the part of the Government, or on the part of the Governor General or the British Parliament or the British people. Nor do I believe in ourselves or Government delivering ultimatums or anything of the kind. But I do believe in this: that there is no doubt whatever that we Congressmen—whether we are pledged to independence or to Dominion status—there are two schools of thought in the Congress undoubtedly today—whatever our domestic differences may be, we are all agreed upon this: for this year we are putting forward a particular constitution; and we promise to adopt it if Government at once accept it *in toto*. If Government want to look at it they may; but we do not present that constitution to Government but all those whom it concerns may look at it and deal with it as they like. Of course the Government may take note of it, and may take note of the temper of the country, and if they come to the conclusion that they will accept it, very well, we shall consider it. But that is not the way in which any attempt is made on the other side to meet the situation. And, Sir, what, I may say, is the constitution framed by the European Group? Do they agree to Dominion status now and forthwith? Colonel Crawford put to my friend the Leader of the Opposition a great many interesting questions. But I do not think we got anything from Colonel Crawford. His questions were very apt undoubtedly. But what is his position? Does he agree to immediate full Dominion status within the end of this year? Or within ten years or within five years or within two years? No. What is the use then of discussing an unnecessary question?

An Honourable Member from the Congress Benches: Ask him that question.

Mr. S. Srinivasa Iyengar: Does he agree to immediate and full Dominion status this year? Do the Honourable the Home Member and the Treasury Benches agree to immediate and full Dominion status this year? (Hear, hear.) Why should we not strive for independence? There are some people who have been given a brief time-limit, and who think they will strive for independence after the 1st January 1930. For myself, my duty is clearly to strive for independence only today and tomorrow and all the time as far as I can. The Congress adheres to it notwithstanding All-Parties constitution? You know of course your strength; we know our weakness or strength, whatever it may be. But the Honourable the Home Member is fond of quoting Lord Acton, and I will only cite to him one sentence from him: "Do not overlook the strength of the bad cause or the weakness of the good cause." We will assume that the Honourable the Home Member's cause is a very good cause and the cause of the opposition is a very bad cause. But the cause of the Opposition is a very strong cause; it is the enduring cause, it is the cause that is going to win, whatever difficulties there may be. (Hear, hear.) There is no mistake about it, and this independence school which I represent, however unworthily, is undoubtedly a fast-growing school; is a very large school already. You may not hear about it in this Assembly very much or just as much as you should hear about it, though it is more than you think; but you will hear about it in the country and from the mass of the population and you will hear about it more and more. I do not say that as a threat because we are business men and we, as business men will do business with business people. I understand the English people are a race of business people, and the bureaucracy is a very business bureaucracy. Lord

[Mr. S. Srinivasa Iyengar.]

Winterton told us the other day—if Reuter reported him correctly and I have no reason to suppose otherwise—that there are political leaders and their dupes in India, and the Bengal Government know how to take care of that sort of political leaders and their dupes. I dare say Lord Winterton spoke with a very profound knowledge of the conditions of his country and of the political parties there and of the practice of duping and other things that go on in his own country. That is the position taken up by a responsible statesman—because I suppose he is a responsible statesman, otherwise he would not be Under Secretary of State for India. And if he could say that, then what is the response to any kind of demand, Swaraj, Dominion status, Independence, or any kind of status? There is no response whatever. It is a rejection of every demand. Naturally we have a constitution at present, so far as the Assembly is concerned, and I speak with considerable respect and restraint. But I must say that I do not understand the Governor General to have illuminated the position very much. Very stirring phrases were used by His Excellency. But the draft of his speech was wrapped in severe obscurity. I had not the privilege of hearing it, but I read it, and I do not see a single word of business in it. No doubt there are some little criticisms and references to pledges given long ago and some other things. But what is it that they are going to do? Do you ever tell us exactly about anything that you are going to do, today, or tomorrow or the day after? Why should we alone tell you what we are going to do tomorrow or day after? It is business for business. (Laughter.) If you are business men, we will be business men; if you are not going to be business men, we are not going to be so either. Is the way you adopt towards us the way Englishmen deal in business matters with their own countrymen? Certainly not. If I understood anything—and I have during the last year added a European qualification and therefore I can speak with firsthand knowledge of the business capacity of Englishmen—it is their capacity for business that is remarkable. But they consider us very unbusiness like people; they consider we are children, and that we should be treated as such, and that we may be made political dupes of—I am perfectly certain of that. I am sorry to see that perhaps willingly or unwillingly there are still some dupes—I do not say in this House—I do not know—outside or hereafter there may be some dupes. (Laughter.) But the dupes are on the other side, not on our side, Sir. (Laughter.) And I say to myself that even when I talk of independence and the completest independence, I consider myself to be a very moderate person, because I know the real feeling in the country is very much stronger than the feeling which I am able to express here, with all the limitations of courtesy and politenesses, and all these things that we have to have here. We have to be charming people all the while we talk here, while at the same time demanding complete Swaraj. But, Sir, why is it not possible for the Honourable the Home Member to give a straight answer? Is there any straight answer? No doubt he uses the words “straightforward” and “frank” in the reply he gave, but there was nothing beyond those words; at least I am really unable to see anything beyond that. Is there anything sincere in saying “The Simon Commission is there to inquire; they are still here and of course Parliament will consider.”? What happened to the Simon Commission when it first landed in India? The Governor General thought, and the Government of India thought and the British Cabinet thought

that this Parliamentary Commission was going to be welcomed in India and would be acceptable to the people of India. They may have been right or they may have been wrong; they may not have known public opinion at that time. His Excellency the Governor General might have consulted a few people, and he may have thought that we were wrong-headed people and that we did not know anything about it and that we did not represent the country. But what happened as a result after that? The Commission came on its preliminary managing tour throughout India for the purpose of shepherding opinion in India. What happened then? You know perfectly well. They found themselves to be the unwanted Commission. They could not get any *viva voce* evidence. It was then that they discovered this new wisdom of not wanting *viva voce* evidence so much, and they decided to call for written evidence, because they knew perfectly well that a sufficient number of witnesses of responsibility would not be forthcoming before them, and they thought it better to collect evidence through the post office. What did they get? They got nothing? Even in the provinces in which, somehow or other owing to the Ministerial parties functioning with the aid of a few nominated and other members though the co-operation Resolution was passed, what has happened? Responsible men did not go and give evidence before the Simon Commission. In every province the visit of the Simon Commission has been a dismal failure. Do the Honourable the Home Member and his colleagues say that the Simon Commission is a welcome Commission in India today? Do they honestly think that it is a welcome Commission? I am perfectly certain that, in their conversations in their houses, and in their clubs, they exchange their ideas and they know perfectly well that it is an unwanted Commission. Well, even Lord Peel has had to admit that it has been the Congress boycott that has prevailed with the majority of the people. Therefore, let us understand that. If the Simon Commission has been such a failure as it has been, why is it not open to the Honourable the Home Member, who is representing the Government of India here, to say, "Well, we shall have nothing to do with the Simon Commission, it is quite unnecessary"? Therefore, Sir, this persistence in the Simon Commission is itself, to my mind, tantamount to non-acceptance of the Resolution of the Calcutta Congress, and I consider also that the Viceroy's speech—some of my friends may differ from me—is also a non-acceptance, because he says, "Within the time what can we do?" as if anything is going to be done by making one year of the Congress 5 years or 8 years or 2 years. I know perfectly well that nothing of the kind is going to happen. The question therefore is whether really we are not justified in expressing, in unambiguous language, our opinion of the present system of Government in this country, and in agreeing, in the common name of Swaraj, to vote for this Resolution. I think myself, Sir, that there can be no two opinions on this point. I do think that there is a great deal of difference of opinion on the Hindu-Muhammadan question. But now that my Mussalman friends have expressed very clearly and emphatically their disagreement with the All-Parties Constitution, they have done their duty, but it is their duty undoubtedly to vote for Swaraj, because, Sir, I do consider that the Mussalmans of this country are going to fight for Swaraj as much as Hindus—perhaps they are going to fight for Swaraj much more than Hindus,—I have no doubt about it. Why should they not fight for Swaraj? Therefore, I do think that all this controversy is beside the point. Well, the All-Parties Constitution, only one of many constitutions, is not before the House. It is a purely domestic matter; it is a matter for the purpose of

[Mr. S. Srinivasa Iyengar.]

some of us getting some other people to agree to a certain thing. The question whether it is agreed to by all people, or by a few people, or by no people is not the question.

Mr. K. Ahmed: But that is your national demand, you say.

Mr. S. Srinivasa Iyengar: I have said what I have said, and I cannot make myself clearer than what I have done. If the Honorable Member thinks that I have not made myself clear, he must forgive me, because I cannot make myself clearer than I have attempted to do. All that I would say to him is that it is his duty, as much as it is the duty of every self-respecting Mussalman in this House, to vote for this motion. Is it contended by any one that the All-Parties constitution is the last word on the subject? Do you mean to say we cannot scrap the All-Parties constitution and arrive at another constitution? Why should we, in the presence of the dissenting Members and others, who take a hilarious pleasure in our differences, air them here? Why should we enlarge our controversies here? This is a matter eminently for settlement between Hindus and Mussalmans. It is not a matter in which other parties have any right to interfere. Therefore, I would ask my Mussalman friends, after having expressed their opinion once—they may be right or they may be wrong; it may be the majority opinion or minority opinion it does not matter—I would ask my Mussalman friends to vote for this motion. The whole question resolves itself into this, whether Mussalman Members in this House, any more than Hindu Members in this House, can afford to divide on this question. We have been voting for the last so many years together on this question, and I do not see why, this year, we should part company. This is a critical year, and I would beg my Mussalman friends, one and all of them, not to listen to the siren voices which are newly heard on the other side. Some of them perhaps are more audible in one direction rather than in another direction, and I hope they will never yield to these siren voices. I do appeal to my Mussalman friends to stand together with Hindus, irrespective of their differences, and I do not think their cause will, in the least, be prejudiced by voting with us. On the other hand, the probability of a better settlement from their point of view will become considerably greater if they vote with us upon this motion. There is no use in yielding to temptations nor in indulging in mutual recriminations; there is no use in adding feeling to feeling on this matter. Of course, we know perfectly well how Colonel Crawford looks at the whole thing with a benevolent interest. Therefore, I do submit, with all the pleading of which I am capable—and I am not capable of much—I do submit with all the earnestness of one who has striven and with some slight success, in his own humble way, to lay the foundations of Hindu-Muslim settlement, along with Mr. Jinnah and his colleagues, I do certainly beg of my Mussalman friends to see that, on this matter, we all stand together, and I assure them, with all the emphasis I can command, that their cause will not be prejudiced, in the slightest degree, by their doing what I humbly beg of them to do on this occasion.

I do not think myself that I can at all enter into agreements with my friend Col. Crawford. He has certainly not shown that he is a plenipotentiary of the British Cabinet in this country. He no doubt

represents an important constituency in this country just as much as we represent the people here. We at least represent some millions in this country in a very humble fashion, perhaps in a fashion which is disputed on the other side, but which I hope will become less and less disputable as the fight for Swaraj goes on. But on the other side what are the credentials? I find the European Party cannot deliver the goods. If the Honourable the Home Member cannot deliver the goods, the European Party in this Assembly cannot deliver the goods. Of course, I do believe in earning the goodwill of everybody, but there is a time for business also. We have wooed each other for such a length of time by things like goodwill, mutual co-operation and other things, and we have found that all this wooing has ended in disaster. What happened? Some had hoped that a gesture at Delhi would have led to very good and pleasant things. But what actually has happened? Mahatma Gandhi was arrested after that tea party like a common felon in the streets of Calcutta. For what? For burning foreign cloth, which is a very burnable thing. (Laughter.) In Shradhanand Park there were no thatched houses and there was no fear of the Shradhanand Park being burnt down when this bonfire was made there. I really cannot understand from the report of the proceedings which have appeared in the press what happened there. The only thing I can understand is this, that whatever denials there may be, there is a policy going to be adopted towards those who talk of independence, because the Simon Commission Report must be made acceptable. In one hand there is the sugar plum and in the other there is repression. We know all these things very well, and my friend Pandit Motilal Nehru referred to them.

In one thing I would differ from him. He talked of the cycle, but whatever the cycle may be, I may say this, that there will not be the cycle of the failure of non-co-operation. (*Cries of "Hear, hear" from the Congress Party Benches.*) There will not be any failure of non-co-operation then. The cycle does exist, but I am sure the failure of non-co-operation this time is not intended. It is a new cycle which he referred to, and I want to make it clear . . .

Pandit Motilal Nehru: I did not say it.

Mr. S. Srinivasa Iyengar: I know it, but I wanted to make it clearer. (Laughter.) It is capable of two interpretations, and that is why I wanted to make it clear. (Laughter.) As I said, the Calcutta Resolution is a compromise Resolution for one brief year only. I do not believe in adding anything to it. We are undoubtedly for business, but are you for business? Does the Governor General's speech mean business? Does the Honourable the Home Member's speech mean business? Does Mahatma Gandhi's arrest mean business? Business undoubtedly (Laughter), but it is not business of the Swaraj description. Does the frivolous arrest and imprisonment for one year of my friend, Mr. Bulusu Sambamoorthy, who is a member of the All-India Working Committee, for saying absolutely nothing whatever upon independence and things of that kind, under the security sections of the Criminal Procedure Code—does that show any change of heart or gesture? I do not want gestures and changes of heart. Those are phrases which I leave to others . . .

Mr. Muhammad Yamin Khan: On a point of order, Sir. May I ask whether the Honourable Member is justified in referring . . . (Mr. Srinivasa Iyengar was still standing in his place.) (*Cries of "Order, order."*)

Mr. President: Order, order. The Honourable Member (Mr. Srinivasa Iyengar) must resume his seat. Mr. Yamin Khan.

Mr. Muhammad Yamin Khan: My point is this. The Honourable Member is referring to some people being imprisoned under the orders of a judicial Court. I wish to ask whether it is, or is not open to Members of this House, when the action of Government is being considered to refer to orders of the judiciary?

Mr. President: It is open to any Member, who does not agree with a judgment of a particular Court, to say that that judgment is wrong.

Mr. S. Srinivasa Iyengar: We know that, in these cases, no prosecution is undertaken without the sanction of the Government and therefore all these prosecutions take place as a result of the deliberate policy of the Government, because, unless Government sanction these things, these things cannot happen. That is my answer.

Sir, I would submit that we have had a very interesting debate and a great deal of searching of heart must take place amongst us, not only during this year, but during the ensuing years. But this much let the real opposition to Swaraj, that is, the Treasury Benches, learn. We are not going to abate anything; we are going forward; and we are not going to hark back or go back. We have come to a compromise in the Congress and, as a common measure of agreement we agreed to it for this year only. I do not agree to any thing beyond. If the Government accept the All-Parties Constitution in its entirety within this year subject of course to material alterations under the communal head, if, so far as Government are concerned, they accept it in its entirety before the end of the year, or if they promise to accept it in its entirety before the end of this year, well and good. If they do not propose to do it, then, speaking for myself and for those who agree with me and are of my way of thinking certainly we shall have our own freedom of action. We do not propose to tie ourselves down to Dominion status now or at any time and we do not want to be bound down by expectations raised by reason of the fact that the Labour Party may come into power. It may not come into power, or it may come into power. The Simon Commission may perhaps be delaying its Report till it has ascertained which Party is coming into power; it may be so. Those are things with which we are quite familiar. But I do not believe that we can, on this side of the House,—and certainly those who believe like me in complete independence for India as the goal of India, cannot at all agree—to do any business with Government, unless Government show an equal and prompt willingness to do business with us, and if those who talk to us here are armed with credentials and with the authority with which we consider ourselves armed—you may dispute our authority, but we do think we have some little authority, and you know that perfectly well—well and good. But if you are not going to do business with us, then what is the use of discussing this question needlessly?

Lastly. I would once more appeal to my Mussalman friends. Whatever their grievances and differences, whether they are of the Congress persuasion or the non-Congress persuasion, with the Hindus, they must fight for Swaraj even more than Hindus, for when a humble man like myself can fight for it, it is their duty to give their solemn vote on this occasion without any evasion. Evasion has been reduced to a fine art in the hands of the Opposition, but evasion there cannot be amongst ourselves. We have got our differences and we must have our differences, but those are not differences with which others are concerned. And why should we bring them up here, we know them perfectly well

Mr. K. Ahmed: Who is to blame?

Mr. S. Srinivasa Iyengar: If the Hindus do not keep faith with the Mussalmans, the Mussalmans will know the reason why. If the Mussalmans do not keep faith with the Hindus, the Hindus will know the reason why. We can adjust our differences ourselves. Even from my friend, Mr. Kabeer-ud-Din Ahmed, who has added many hours of happiness to my life, (Laughter), I will not take this dissent. I must request him as well as others to vote on this motion without the slightest hesitation and defeat this Government. (Loud Applause.)

The Honourable Sir George Rainy (Member for Commerce and Railways): The Honourable Mover, Mr. President, referred to this discussion as a hardy annual. I have never listened to it, or participated in it, without being irresistibly reminded of an old story, familiar, I am sure, to a great many Members of this House, but I will risk a repetition of it in case there should be some who do not recall it. It relates to the time of the Civil War in Ireland when things were at about their worst. A prominent London newspaper had a special correspondent in Dublin, and one fine day the correspondent presented himself in the Editor's room in London. The Editor said, "What are you doing here?" The correspondent's explanation was that the provisional Government had arrested him, warned him that, if he were seen again in Dublin, he would be shot at sight, and turned him out of the country. The Editor replied promptly, "Do they think they can intimidate me? Go back at once." (Laughter.) That, I think, would be the reply, in substance, of the British Government if they saw the Members of the Executive Council walking up to Simla.

I think, Sir, possibly the Honourable Pandit might have been better advised had he given the hardy annual a miss this year, because the discussion has obviously been delicate and difficult. That was no doubt the reason why my Honourable friend, Mr. Jayakar, expressed the wish that it might have been confined to the Leaders of Parties, relying no doubt on the tact and discretion of the elder statesmen to avoid any cause of offence. To some extent, Sir, I share his feeling, but I have been emboldened to speak on this occasion by the fact that one or two other speeches led me to doubt whether, on this occasion, even the Leaders of Parties were to be trusted, and created in my mind a feeling that this was a discussion in which all the speeches might with advantage have been omitted and the debate conducted in dumb show. Because, Sir, Leader after Leader has either found himself in hot water with his own supporters or has incurred your censure, Sir, for straying beyond the limits of debate. The discussion has also been a little unusual, owing to the number of exclusions which have been suggested by various speakers. Thus, my Honourable friend Maulvi

[Sir George Rainy.]

Muhammad Shafee said that it was a great pity that the Nehru Report had ever been referred to. Now, that surely is trying the Leader of the Opposition a bit too high. Surely it is very hard if the Leader of a Party may not mention the platform, on which his party stands, and is it not still more hard that a father may not give a word of encouragement to a dearly beloved child? I was interested to observe that the fascination which attaches to that Report not only affected the Honourable Mover, but affected almost all the other speakers who have spoken. I think my Honourable friend, Mr. S. Srinivasa Iyengar, who has just sat down, is the first speaker who did not mention that Report. I am not quite sure about my Honourable friend Mr. Jayakar but I think he mentioned it. Now, surely there is a certain significance about that—that the one subject which every one feels a little delicate, a little dangerous, is the one subject about which no speaker can refrain from speaking: My Honourable friend, Mr. Jayakar, struggled magnificently against the temptation and, as far as I could hear him, successfully, but in a desperate struggle to find alternative topics, it seemed to me that he laid hold of one or two subjects hardly worthy of the dignity of the debate. I really do not think that the Bill which has been introduced in the British Parliament recently and which, as one of its incidental effects, renders eligible for Chief Justiceships members of the Indian Civil Service, can be accounted one of the major crimes of the Executive Council. I should have thought that perhaps a walk of one or two miles would have been a sufficient penalty. (Laughter.)

Another exclusion which was sought to be made was that there should be no constitution making, and speakers said it was a great pity that the Leaders of the Parties had ever strayed into the flowery path of constitution making at all. I think that is a very strange criticism to make. What, after all, is the position? As the Honourable Mover said in his speech, the demand had been very strongly pressed in this House for a constitutional advance from year to year. Eventually the British Government appointed a Royal Commission to investigate the whole question of what should be done. The parties opposite decided that they could not see their way to co-operate, but were they then to refuse the challenge which obviously some one was bound to make, namely, if you won't co-operate with the Simon Commission, what are you going to do about it? I cannot personally see how my Honourable friend, the Leader of the Opposition, could refuse the challenge.

Mr M. A. Jinnah: What happened in Egypt?

The Honourable Sir George Rainy: Sooner or later we have got to get down to the actual practical constitutional difficulties, and whatever the success or failure of the Report referred to may be, I personally do not see how the Leaders of the Parties opposite could have failed at least to make the attempt.

Now, Sir, the Honourable Pandit Madan Mohan Malaviya said that his principal reason, I think I am right in my quotation, for voting for this motion was that he charged the Members of the Executive Council with failure to represent to the British Government accurately the feelings and opinions of educated people in this country. That is not quite the same as the reason the Honourable Mover gave for moving the motion at all, nor is it entirely identical, I think, with the reasons given by some of the other speakers. Still, it is a serious and important charge. I should

imagine that one of the things which the members of the Opposition, who will vote for this motion, chiefly desire, is to make an impression on the minds of those who sit on these Benches, so that that impression may be conveyed by us to His Majesty's Government. The impression, I take it, that they wish to be conveyed is that we have been ignoring and refusing to respond to a united demand, a practically unanimous demand. Now, Sir, if that is the impression which they desire should be conveyed, has this debate been such as to create that impression on our minds or on the minds of the British Government, or on the minds of the British Parliament, or on the minds of any unprejudiced observer? The House has heard the debate and can judge for itself. It comes to this—that for a united demand we must go back to 1924 and 1925, or at any rate to a date not later than 1927. There is a united demand for Dominion status, so long as we are particularly careful not to work out all the implications of that phrase. Now, Sir, I have sometimes spoken lightly in this House, but on this occasion I would speak in all seriousness. It is our desire on these Benches to convey, to help in conveying, to His Majesty's Government in Great Britain the feelings and opinions that we hear expressed. But after today's debate, what can we possibly say except this, that the difficulties with which we are faced are perhaps even greater than what we had thought them to be, that obviously there are important questions which call for independent and impartial investigation, and if ever any of us had any doubts, today's debate lends support to the view that that investigation can best be carried out by an entirely impartial and independent tribunal. If that was the impression the Honourable Pandit wanted to convey to our minds, then he has succeeded in his object, but otherwise I am afraid he has not succeeded.

Pandit Madan Mohan Malaviya: Is the Honourable Member not satisfied that it is the united wish of educated India that there should be Dominion status established in this country at the earliest possible date, with due safeguards for the rights of minorities?

The Honourable Sir George Rainy: I should prefer to put my opinions in my own words. I have stated the kind of impression left on my own mind, as also the impression likely to be left on the mind of the British Government and on the mind of Parliament. I should like to conclude by associating myself with every word which My Honourable friend, the Leader of the House, said when he spoke yesterday—that we stand by the Declaration of 1917—another of the peculiar exclusions of this debate. Hardly a single topic has been mentioned by any speaker, which some other speaker does not think ought to have been omitted. I associate myself with what fell from my Honourable friend, the Leader of the House, and what, on a previous occasion, fell from the lips of His Excellency the

4 P.M. Governor General about the declaration of 1917. And I assert that we are fully justified in saying that the appointment of the Royal Commission is in fulfilment of, and carries out the pledges, which we were given in 1917. (Applause.)

Mr. Jehangir K. Munshi (Burma: Non-European): Sir, the only two Parties which can be congratulated on today's debate are the Government Benches and the European Group. I have seldom seen my Honourable friend, Mr. Crerar, look so happy as he has done today (Laughter); and I am sure the Members of the Opposition, who, day after day, discern such a worried look on his face, will not grudge him today's pleasure. (Laughter.)

[Mr. Jehangir K. Munshi.]

The joy of the European Group at the turn taken by the debate, which degenerated into a Hindu-Muslim controversy over the Nehru Report, has prompted my Honourable friend Colonel Crawford to openly parade his pleasure.

Colonel J. D. Crawford: Really?

Mr. Jehangir K. Munshi: Sir, I am not a Hindu, and I am not a Muslim; and I hope my Hindu and Muslim friends will not ascribe to me any communal interested feelings when I try to put my views before the House, purely in my capacity as an Indian. (Hear, hear.)

I first wish to deal with the point which Colonel Crawford tried to make before the House. Colonel Crawford triumphantly turned round to my Honourable friend Pandit Motilal Nehru and asked him: If the European Group in this House supported the Congress Benches' demand for Dominion status, would Pandit Motilal Nehru give a clear assurance that there would be no mental reservation in the minds of Congress men with regard to the movement for Independence? I am afraid, Sir, Colonel Crawford has entirely failed to appreciate the true conception of Dominion status. The essence of Dominion status is the right of a particular Dominion to break away from the British Commonwealth of Nations at any time and at any stage.

Several European Members: No, no.

Mr. Jehangir K. Munshi: That has now been made perfectly clear, and is a fully-established principle of Dominion constitutional law. I shall give one illustration of the constitutional position. If England were to go to war tomorrow, Canada might or might not enter the war along with Great Britain. It is entirely open to Canada to break away from the British flag tomorrow and to assume an entirely independent sovereign status, or, if she chooses to do so, to join the American flag. (*Crisis of "No, no" from the European Benches.*) I challenge my Honourable friend Colonel Crawford and the other Honourable Members sitting on the European Benches to disprove my exposition of constitutional law. If Dominion status is conceded to India, it is entirely puerile to ask any Member of this House to state whether, after India has assumed Dominion status, she will, throughout eternity, remain part of the British Empire, or if she will, at any time, break away from the British Empire. So this inquiry, addressed by Colonel Crawford to Pandit Motilal Nehru—and which the Honourable Pandit took so much trouble to reply to—was an entirely superfluous and meaningless inquiry.

Sir, there can be no doubt—and I speak without offence to my Honourable friend Mr. Srinivasa Iyengar—that the huge mass of intelligent and educated Indian opinion will be completely and entirely satisfied with Dominion status.

I am entirely against the movement for independence; I consider it not only puerile but mischievous. It is bound to have the most harmful effect on the minds of our rising generation; and such a movement will not help us. Dominion status will confer on us all the rights and powers that we desire; and we shall be happy and perfectly satisfied. If India achieves Dominion status, why should Colonel Crawford have any fear of India wanting to break away from the British Empire?

Colonel J. D. Crawford: I can only judge by what they say, that it is a step to independence.

Several Honourable Members: Who said that?

Mr. Jehangir K. Munshi: Colonel Crawford is still labouring under the same misapprehension. Although dominion status connotes the right of a particular Dominion to break away from the British Empire whenever that Dominion chooses to do so, why should India wish to break away from the British Empire once she attains Dominion status? We don't want—when I say "we" I mean the huge mass of intelligent and educated opinion in India—we don't want to break away from the British flag. We want to remain under the British flag; but we desire the right to deal with our own affairs in the same manner and to the same extent as other self-governing Dominions within the British Empire. Sir, I feel that it would certainly have been better if my Honourable friend Pandit Motilal Nehru had left out of his speech all references to the Nehru Report; but all the same I do wish to make an appeal to my Muslim friends in the House. The only issue before the House today is the demand for Dominion status. I do not need to define Dominion status, as Dominion status is a well known expression in constitutional law and history. The constitutions of Canada, Australia and South Africa enjoy dominion status, although in these three constitutions there are points of difference in matters of detail. We are not, however, concerned with these matters of detail. All that we are concerned with, for the purposes of this debate, is our demand that the British Government should extend to us Dominion status at the earliest possible moment.

Sir, we cannot conceal from ourselves the fact, that the Government Benches regard this debate as having no more than academic value. It is impossible to expect any kind of cheerful and ready response from the Government Benches. Let us not deceive ourselves on this point. I try to place myself in the same position as my Honourable friends, Mr. Crerar and Sir George Rainy; and I ask myself, "Why should these gentlemen think of parting with the rights, powers and privileges which they have acquired for themselves, unless pressure is brought to bear on them from time to time?" Let us now take the case of our friends on the European Benches; Messrs. Lindsay, Cocke, Crawford and Company. They have acquired certain rights, privileges and monopolies in this country; and as human nature is constituted, these gentlemen must undoubtedly cling to whatever they possess as long as they can do so. It is therefore idle for us to expect any "response" either from the Government Benches or from the non-official European Benches. We must all unite and concentrate our efforts on putting pressure on the Government to yield to our demands. The only kind of pressure that can be effective is a combined pressure and not the sort of disjointed pressure that we have tried to put today by this debate.

Sir Victor Sassoon: I don't mind if the Executive Council walks.

Mr. Jehangir K. Munshi: Sir, even if we carry this motion today, we cannot shut our eyes to the fact that the display of communal feelings in the course of this debate has provided a great deal of entertainment to the Government Benches and the European Benches. What has been said, cannot be unsaid; but let us however try and achieve even a small

[Mr. Jehangir K. Munshi.]

measure of success; and I implore my Muslim friends to have no apprehensions that they will in any way be jeopardising their own interests by voting for this motion.

It has been made abundantly clear that today's vote is confined purely to the abstract question of Dominion status. The Nehru Report is entirely beyond the purview of today's debate and today's motion. I shall not try to reason with those Muslim Members of this House who have made up their minds to vote against this motion to please the Government Benches. I am now, Sir, trying to address myself to that section of the Muslim Members of this House, in whose minds I know there is a genuine apprehension that, by voting for today's motion, they might in some way be accepting the Nehru Report and thereby jeopardising their political future. Sir, I am not a Hindu, and, speaking as an Indian, I assure my Muslim friends that by voting for this motion, they will not be jeopardising their political future in any way; they will be most certainly advancing the future of India which is after all their own future. (Applause.)

(Several Members stood up to take part in the debate.)

Mr. President: It looks as if the debate is not going to be concluded today.

Mr. K. Ahmed: I have been standing each time from this morning, Sir.

Mr. President: But the Honourable Member forgets that he makes several speeches a day. Mr. Kabeer-ud-Din Ahmed.

Mr. K. Ahmed: Sir, I am very thankful to you after all, for having shown me the courtesy of allowing me to make a speech on the subject of today's discussion. I accept the challenge of my Honourable friend from Burma, Mr. Munshi, who has arrived here for the second session. I accept his challenge and I welcome it. In compliance with his wishes, I am ready to accept his challenge to us and give a suitable reply to that.

Mr. Jehangir K. Munshi: I did not throw out any challenge to Mr. K. Ahmed. (Laughter.)

Mr. K. Ahmed: Well, if he has not thrown out a challenge, he has at least given us an undertaking and I suppose, it was too great a burden for him to bear, and so, he has overburdened himself by giving an undertaking to the Musalmans of this Assembly that he will satisfy them on the point, and that he would advise them to accept the Dominion status for the country. Now, Sir, this dangerous cut of reducing the whole amount to Re. 1 (Laughter), which the Honourable Pandit has proposed, comes under the head Executive Council, (page 135 of the detailed Demands for Grants). What do we see on page 135 of the budget estimates? We find, Demand No. 28, "Executive Council", Voted Rs. 66,000 and non-voted Rs. 4,85,000. They are composed of the pay, allowances, tour expenses, grants in aid, contributions, etc., etc. Well, Sir, my Honourable friend's dangerous cut is a challenge thrown out to us and perhaps it may even throw him into the pit and he will find himself very difficult to get out of it. There is also a challenge thrown out to Government,

that is, that this cut is in effect a censure on the Government. My learned friend the Pandit says: I give this ultimatum to the Government, either grant us Dominion status, or forthwith be prepared to fight against the non-co-operation movement, which will be inaugurated soon at the end of this year. He threatens the Government that civil disobedience will be started, that burning of cloths—just as the one, we recently witnessed in Calcutta—will take place all over the country. Well, I see some of my Honourable friends, like Mr. T. C. Goswami, on the Swarajist Benches, smartly dressed in foreign cloth, I see another friend, Mr. Chetty, also of the Swarajist persuasion, very nicely dressed. (Laughter.) All these, my Honourable friends, are sitting there—here I must also mention my Honourable friend Diwan Chaman Lal, from the Punjab, who is neatly dressed in foreign cloth, all these, my friends, took no part in the conflagration that took place in Delhi or Calcutta of foreign cloths. (Laughter.) They seem to be really very happy that their dresses have been spared from the conflagration. Would they be happy to see their own clothes burnt? Would the members of the Party, which sits next to the Congress, namely the Nationalist Party, or the members of the Party which sits next to that, namely the Independent Party, whose members said that the Central Muslim Party are closely allied with the European Group, would the members of those Parties, like my Honourable friend, Mr. Jayakar, or like my Honourable friend, Mr. Jinnah of the Independent Party, would they like their clothes to be burnt? Certainly, instead of giving an ultimatum to the Government or the Members of the Central Muslim Party, the Honourable Pandit should have given his ultimatum to those Honourable Members who would not burn their clothes. (Laughter.)

Now, let us see what the Honourable Mover means by his national demand, which he says the Treasury Benches, or the Members sitting on the Government Benches have not conceded. My Honourable friend, Pandit Motilal Nehru, the Leader of the Congress Party, says to Government, "You must give us responsible government or Dominion status". That is what he means by national demand. The national demand, of which he spoke so much, is contained in the beautiful booklet of his own, which was drafted in a conference better known as the Secret Alliance Conference. It was nothing more than an ordinary *purdah*, or Muslim *zenana* conference. It is not becoming of my Honourable friend's position to call together such a secret conference and to keep out of that *purdah* conference real Muhammadans who count. He brought into that conference a man from Bengal called Maulana Abul Kalam Azad on a hired cart.

An Honourable Member: What?

Mr. K. Ahmed: I was told that a payment, at the monthly rate of Rs. 600, was made to him. That is the rumour in Bengal all over.

Several Honourable Members: Withdraw, withdraw.

Mr. President: Order, order. The Honourable Member knows that the gentleman, whom he refers to, is not here to defend himself. The conduct of the Honourable Member in making such a serious charge in such a light-hearted manner against one, who holds a prominent position in the public life of the country, is certainly reprehensible.

Mr. K. Ahmed: I am at least as much a responsible Member as others. I am representing the Muhammadans of my constituency as any of my other friends, or the Chair itself, and I am only giving currency to the rumour in my constituency, namely, that it was because some amount of money was being paid on a monthly rate to the Maulana. He does not represent Bengal Musalmans.

Several Honourable Members: Withdraw, withdraw.

Mr. President: Order, order. I ask the Honourable Member to pass on to other matters.

Mr. K. Ahmed: Very well, Sir. Let us see whom that conference was composed of. It composed of Sir Ali Imam, Sir A. Rahim, and the Maharaja of Mahmudabad. Sir Ali Imam attended one meeting only for a short period. Sir A. Rahim rejected the Nehru Report *in toto*

Mr. President: These things are hardly relevant to the present issue.

Mr. K. Ahmed: Since reference has already been made to these things, I am also referring to them in passing. I myself do not attach much importance to that subject. It is those who first referred to it, ought to be blamed in that connection,

Mr. President: Order, order. If the Honourable Member continues in this strain, I shall have to ask him to resume his seat.

Mr. K. Ahmed: As a matter of fact, this strain was renewed by the other side. I am going on with the real point at issue. The real point at issue is what is called the national demand. Let us see what this national demand is. India is a beautiful country. (Laughter), a beautiful continent

Mr. President: Order, order. I cannot allow the Honourable Member to talk at random anything that he likes. He must be relevant.

Mr. K. Ahmed: With due respect, Sir, I am relevant.

Mr. President: Is the Honourable Member going to be relevant or not.

Mr. K. Ahmed: With due respect, Sir, I am never irrelevant.

Mr. President: If the Honourable Member is irrelevant hereafter, he will be asked to discontinue his speech.

Mr. K. Ahmed: I fully realise that, Sir. Well, this national demand is the outcome of the labours of only 25 persons or so. Out of the vast population of Muhammadans in India, who are the persons who sat and framed that national demand? Was it not *ex parte*, no representative Muslims being present there? Is that a national demand, which excludes the real Muhammadans? There are Members belonging to the depressed classes, there are the Anglo-Indians, and there are other kinds of people. Have they all found a place in the framing of that national demand? There are also Sikhs and many Parsis, and we find no representative here to represent them. There are also the Burmese people. Mr. Munshi though a Parsi, represents the Burmese here, was not present there at Lucknow Conference and he knows very little of these irregularities on the Nehru Report. Therefore, the national demand turns into what? It is not a national demand, but it is a demand of the Swarajist Party, and

probably a demand of the next Party—what is it—the Nationalist Party. There is no nationalist or nationality in them, and yet they are called the Nationalist Party in this Assembly.

Mr. President: Order, order. I invite the attention of the Assembly to the conduct of the Honourable Member who persists in irrelevance.

Mr. K. Ahmed: Sir, I suppose I am consistent now. If, in your interpretation you will allow me, I shall go on. You will also kindly tell me when I am irrelevant; then I shall sit down.

Sir, if the Nationalist Party and the Congress Party put this forward as a national demand, I fail to see how the other side of this Assembly, more than half of it at least, can take it as gospel truth that it is a national demand of the people of India.

Our friend from Benares, Pandit Madan Mohan Malaviya, said—I have taken down his words—that the Nehru Report was understood to be a report of the Muhammadans as well. He may understand that the rice may be had by turning the plough, and he may eat it, but he will not taste it, because the taste will be quite disagreeable to him and he will find it very very difficult to digest it. Things sweet to taste may not be easily digestible—that is what a great poet has said. (Laughter.) Therefore, I say in the national demand there is something lacking. Sir, my Honourable friend from the United Provinces, the Leader of the Nationalist Party, is rather shaky and feeling rather small in his seat. My friend Mr. Jayakar, and another friend, his senior, the Honourable Mr. Jinnah, have been trying to help my friend Pandit Motilal in his cut. But where the real issue is, they are unable to see. Are they going to amend the plaint of Pandit Motilal or file the written statement on behalf of themselves in the Assembly or what? Have they got the *vakalatnama* on behalf of the Mover of this motion to divert the main issue proposed in this cut? Or can they amend it, which the Mover himself cannot do? My learned friend, Mr. Jinnah, yesterday was on his legs; but just before that, I was also asking for an indulgence from the Chair, to hear my position as well. My friend said, "I do not want to take any responsibility, but I want to make my position clear". This is what Mr. Jinnah said. I said also that I did not understand either, and I wanted to raise a point of order. Well, I was made to keep order (Laughter). All these are the Nationalists, and these are the Swarajists, all were shouting, Sir, yesterday and that is how they shout in the country.

Mr. President: Order, order. If the Honourable Member does not conclude his speech within two minutes, I shall have to make use of Rule 16.

Mr. K. Ahmed: Very well, Sir; you may do that if I do not conclude within two minutes. Now, then we shall see what happened. My friend Pandit Motilal Nehru said, "Let us not bother about the Nehru Report; we shall fix it up within a short time and patch up differences between us and the Musalmans, but let this motion for reduction of the whole demand to Re. 1 be carried." That is what he asked us to do. And he said further that every Member of this Assembly, whether elected or nominated, should record his vote only in one way, namely, in favour of the motion before the House, in view of the successive motions previously adopted by the House. I at once wanted to tell him, "Let the Nehru

[Mr. K. Ahmed.]

Report be settled first, the Hindu-Muslim question". My friend Mr. Jayakar could not improve that, any more than Mr. Jinnah, about whom I said I wanted to raise a point of order. I did not understand the meaning of what the Honourable Pandit Motilal Nehru said, when he told us that he was speaking for the country, and that it was for Mr. Jinnah to clear up his position, as regards what Panditji himself had said about the Muslims in support of the Nehru Report and its acceptance. And so, my learned friend, Mr. Jinnah, while he was speaking, took jolly good care to explain his position and clarify it. Sir, Pandit Motilal Nehru himself was afraid that they differed from each other. Sir, there are differences about the national demand itself; and we can see it through burning of cloths—your own Party people do not like it; your friends do not like it; and you start also a youth movement, and they do not like it. Now, Sir, is it proper for my friend to come on with a motion of this kind, for a cut to reduce the whole demand to Re. 1? Sir, am I going far beyond two minutes? If that is so, we will at once ask the Mover to withdraw his motion, and I will resume my seat, as I do not require to go on any further. Thank you, Sir. Thus I conclude my speech under the circumstances.

Mr. Vidya Sagar Pandya (Madras: Indian Commerce): Sir, I move that the question be put.

Mr. President: Mr. Shervani.

Mr. K. Ahmed: My friend will take a long time, Sir. He belongs to the Swarajist group. I move the question be now put.

***Mr. T. A. K. Shervani:** Sir, I never intended to speak on this cut, because I know and I believe that the Benches opposite are strong enough to be unmoved by speeches. As regards the demand, we want something more, we want more sacrifice, immensely more sacrifice from persons like my friend Maulvi Muhammad Shafee, who can force even my friend Maulvi Muhammad Yakub to make some sacrifice before he accedes to the demand. Therefore, I consider it, and I have always considered it, useless, to make speeches in this House. Secondly, Sir, I consider that, in so far as this particular cut is concerned, this august Assembly stands committed. This very issue has, as has been pointed out, been raised many times before in this House, not once but many a time, and the House has given its verdict. Now, Sir, do certain of my Honourable friends want this House to go back on what it has demanded so very often? That is the only question before the House, namely, whether this House should censure the Executive Council for their failure to recommend that the national demand of India should be met by those who are responsible. That is the only question before the House; but wittingly or unwittingly, certain irrelevant matters have been introduced. And there is one particular thing which serves as the red rag to certain gentlemen—I mean the Nehru Report. It has already been made perfectly clear that this cut does not in any way involve the acceptance or rejection of the Nehru Report. The authors of the Nehru Report will not condescend to get that Report accepted here in this House; that Report has been made for entire India and has to be accepted or rejected by the people of India outside this House. So, I respectfully submit to my

* Speech not corrected by the Honourable Member.

friends that voting on this cut does not in any way involve the acceptance or otherwise of the Nehru Report. But I may point out one thing, that the Nehru Report, whether it may be good, bad or indifferent, has served even now, as at its inception, its enemies also. I see certain Honourable gentlemen, Members of this House, who without any excuse go and record their votes on the side of Government. Today they are taking shelter behind the Nehru Report in order to go and vote for the Government.

Mr. K. Ahmed: There is dissension and disunity created among the people over the Nehru Report.

Mr. T. A. K. Shervani: You are among them.

Mr. K. Ahmed: You went to jail with Swarajists in their garb, that is why you don't see the difference.

Mr. T. A. K. Shervani: I need not be reminded of that by my Honourable friend. Well, so far as Muhammadans are concerned, certain statements were made on the floor of this House. If those statements were made as expressions of individual opinion, I have got no quarrel; but if those statements go any further and are presented to this House as facts, I am sorry to say that I have got to differ from them. I can say only this much, that as a fact, so far as the opinions of Muhammadans on the Nehru Report are concerned, my Honourable friends who have made certain statements are not entitled to make them on behalf of Muhammadans

Mian Muhammad Shah Nawaz: Ask Mr. Dawoodi.

Mr. T. A. K. Shervani: Mr. Dawoodi or anybody else. Muhammadan opinion has not been ascertained.

Mian Muhammad Shah Nawaz: Yes, it has been.

Mr. T. A. K. Shervani: It has not been, and whatever has been ascertained, I make bold to say, that I am as much entitled to say that the Nehru Report is acceptable to Muhammadans as my learned friends on the other side are entitled to say it is not acceptable.

Mian Muhammad Shah Nawaz: Absolutely wrong!

Mr. President: Each side is entitled to its opinions.

Mr. T. A. K. Shervani: That is what I say. However, that is not the point at issue. That is not the question before the House. I am entitled to my opinion, and I am entitled to say before the House that this is the opinion of Mussalmans. My learned friends are entitled to their opinion; but I respectfully say that they are not entitled also to say that it is the Mussalman opinion.

Mian Muhammad Shah Nawaz: Question. Take the voting on this point and you will see you are not the only person who will vote

Mr. T. A. K. Shervani: The time is coming when opinion will be ascertained as my Honourable friend has seen many a time before and will see again.

Mian Muhammad Shah Nawaz: With your help.

Mr. T. A. K. Shervani: As I said, it has been abundantly clear that the Nehru Report is not in issue, and if my Honourable friends want to make an issue of the Nehru Report I would respectfully submit that they just want to find an excuse. When the Honourable the Mover himself says, the Nehru Report is not in question, what right has any Member of this House to say anything else. Many things have been said about my Party on this side of the House, but I may say, with all the responsibility attaching to that statement, that Muhammadans have been co-operating with the Government for the last 60 years. If today they were prepared to co-operate with the Hindus, even for a period of five years, they would get more than they have got from Government within the last 60 years. What right have certain Honourable Members in this House to come forward and say, "Hindus have done this and Hindus have done that." Have they considered

Maulvi Muhammad Shafee: Is this the place for a lecture on co-operation.

Mr. T. A. K. Shervani: My point is simply this, that today's cut means a struggle between the country and the Government; and I say to the Government, "I as a Mussalman have co-operated with you for the last 60 years. I have followed your dictates, I believed whatever you said. That was my consistent policy for the past 60 years, and yet, during that period, the position of the Mussalman has been deteriorating from bad to worse, everything has been snatched from me or is being snatched from me." If these documents, which have come to light, show anything, they show that Government has persistently tried to crush us.

Maulvi Muhammad Shafee: You should not co-operate with either as such.

Mr. T. A. K. Shervani: I know the Honourable Member will go with me. The Honourable Member may have differences, but I know that in the future struggle the Honourable Member will not be behind anybody; even in this vote he won't be behind anybody. My submission is that we want certain things from the Government. We put forth our demands. The point at issue is not between Hindus and Muhammadans. The point at issue is between Indians, including Muhammadans, Hindus, Parsis, on one side and the Government on the other side. Well, Sir, my friend says the Nehru Report does not give any safeguards. Well the position of a certain section, and an important section, of this side of the House is that constitutions and rights—and I will confine myself to rights—are not given, they are always taken. Those rights we have got to take at the hands of Government, and when those rights have been taken, Hindus and Muhammadans can settle their differences. That is the position. My Honourable friend wants safeguards in the constitution. What are they? The real safeguard lies in your own inherent strength. That is the real safeguard. Why should you quarrel over these things, and why should you drag in a thing which is not in issue ?

Now, Sir, as regards the gallant Member of this House, I do not see him here; but the cut is proposed for the year of grace 1929, and so far as this cut is concerned, this side of the House is committed to Dominion status. I want his vote and his Party's votes in the year 1929. If he tells me, "Well, in the year 1930", my reply to him will be that so

far as 1930 is concerned, the ides of March have not gone by. So far as the declaration of 1917 is concerned, I respectfully submit that that is not enough. That was given in 1917. Now it is 1929 and this side of the House says that those promises should be redeemed, and it is high time that the promise should have been redeemed.

Mr. K. Ahmed: What about your promises when collecting money and subscriptions, saying that Swaraj will come tomorrow, next month and so on?

Mr. T. A. K. Shervani: Well, Sir, I do not want to answer this kind of jargon . . .

Mr. K. Ahmed: Because it is hard for you to answer.

Mr. T. A. K. Shervani: My Honourable friend knows, and the people who want to know will know, as far as people on this side of the House are concerned. The collection of money or it may be the membership of a Labour Commission does not matter (Laughter) . . .

Mr. K. Ahmed: You go to Chauri Chaura then as it looks all yellow in your jaundiced eye.

Mr. T. A. K. Shervani: That does not come in so far as this question is concerned. (*An Honourable Member:* "Do not mind him") The question is so very clear before the House that I ask my Muhammadan friends, the friends whom I know, really to understand the situation. That situation has been made abundantly clear; and although, so far as Muhammadans on this side of the House are concerned, they have committed themselves to certain things, still they know perfectly well that, on many occasions, whenever the time has arisen, they have tried with my learned friends to find out an avenue for communal adjustment, and they are still trying and they will continue to try, without any prejudice to the opinions which we hold on the Nehru Report and on its merits. But I would tell my learned friend that these things are meant just to cloud the issue, and I know they are patriotic enough not to be overcome by such tactics and will vote with a clear conscience in favour of the motion.

Honourable Members: I move that the question be now put.

Mr. President: Has the Honourable Member ascertained that the House will be with him?

Mr. B. K. Shanmukham Chetty: I cannot speak for the whole House, Sir.

Mr. President: Very well. I am not prepared to accept the closure.

Mr. M. S. Aney: Sir, my reason for intervening in this debate is to try to examine the issue, which is purely of a constitutional nature, on a purely constitutional ground. Unfortunately this constitutional issue has not at all been discussed by a majority of members from the constitutional point of view, which was its real object, but more or less upon irrelevant grounds. The issue before the House is this, that a certain constitutional position for this country has been demanded by this House times out of number, since the year 1924 down to the present time; and

[Mr. M. S. Aney.]

nothing has been done during these years by those who are responsible for running the Government of this country, to help the country to have anything in that line, and therefore a protest is being registered in the form of this motion, in conformity with the constitutional practice. If any objection is to be taken to this issue, it should be based purely on constitutional grounds, and it should be replied to also from a constitutional point of view. But to the entire dismay and distress of us all, somehow or other certain sections of this House took advantage of stray references in the speech made by the Honourable the Leader of the Opposition and tried to cloud the whole issue, and to make excuses out of those references on which to base their opposition to the national demand, to which they already stood committed. I only want to put one real question for consideration before this House. Is this House prepared to recognise, as the aspiration of political India today, what it declared to be its political aspirations in 1924 and 1925? And if not, why? What evidence of official earnestness or *bona fides* have they actually received from the Government during the last three years that they should think of not reiterating that demand but rather of going back upon it? That is the sole point from which I believe the elected and non-official Members of this House ought to look at it. My friend, Mr. Yamin Khan, said "What has taken place during this year, or what sins of omission and commission can be pointed out against the bureaucracy, or against the Members of the Executive Council during the last 12 months so that we will be justified in moving a cut like that?" You, Sir, as President, promptly and properly pointed out to him that he had wholly misunderstood the issue, but I would rather like to ask him one question. Have we not taken a particular stand all these years, and why are we not justified in taking it now? During so many years we stood committed to it, and that demand is being simply reiterated and is being placed before us once more for the acceptance of this House. It is the most reasonable and natural position for this House and for every one of those who stand committed to it to take. It is for the waverers to explain, if they want suddenly to change that stand today, as to why they do so. The onus is on them and not on the supporters of the motion. Their opposition can only be on the ground that, during these years, they have received ample evidence of good will or even earnestness of a desire on the part of the Government to take them on to that goal, and that the national goal can be reached without anything of the kind being repeated every year. That is the only logical position they can really take up. But I do not find they take that line at all, as I am sure that it is impossible for them to take that line. They are thinking of something else; they are thinking of their petty differences, and it is to the utter disappointment and distress of everybody, that these petty differences should have demoralised responsible Members of this House to such an extent that they should forget their own minds and go back on their own solemn and deliberate decisions. Merely as a matter of debate, it may look harmless, if not dignified, for one section to exchange hot words with the other. I hope, nay I feel sure, that at the time of recording their vote, and going to the lobby at the time of division, they will at least realise where they virtually stand and will remember what they have done before.

Now, Sir, the issue which the Honourable Pandit Motilal Nehru has put forward was opposed on two grounds, if I have correctly heard two or three speeches, in which some serious attempt was made to grapple with the problem which was placed before the House. My Honourable friend, Sir Darcy Lindsay, stated that it was premature at this stage. Of course, in one sentence, he tried to summarise all the arguments which the Honourable Home Member used when he spoke in this debate. His opposition was based mainly upon two grounds, that the ultimate authority in regard to this matter was in the hands of Parliament, and the Government of India here was therefore not in a position to make any statement at all. That is one thing. The second thing was that, in accordance with the provisions of the Government of India Act, a Commission has been appointed, and by the appointment of that Commission the Government are faithfully carrying out a certain policy, to which they stand pledged, and until the report of that Commission is out, the issue is trembling in the balance and therefore they are not in a position to make any statement. These are the two grounds, I believe, on which Government are trying to take a *non possumus* attitude. In the first place I want to know what is meant by the ultimate authority in the hands of Parliament. We are putting before the House the issue raised by the Honourable Pandit Motilal Nehru and asking the Government of India to say that this is the opinion of the country, and that it has been repeated on the floor of this House times out of number; and as the representatives of the country, who naturally represent the people of India, we desire the Government to state that they recognise us as the accredited representatives of the people of India. I want to know how it is in any way detrimental to the dignity of, or inconsistent with, the ultimate authority of Parliament? They have only to represent that the amendment faithfully embodies the correct opinion of the people of India. The ultimate authority of Parliament will not in any way be jeopardised by accepting this as the opinion, and by their readiness to represent that as the opinion of the Government of India also, which, being in close touch with the opinion of the people of this country is bound to carry greater weight. They are governing India, of course, under certain obvious limitations, and subject to instructions. That is perfectly true. But at the same time there is a responsibility upon them. Being men on the spot, their word carries weight; they have to make up their minds and state once for ever, whether they regard the agitation in this country for Dominion status as a genuine agitation or not, whether they regard the expression of opinion of these responsible bodies in the country on this issue during the last five years as genuine expressions of the people or not; and if they are honest and sincere—as I should think they are—then they are in duty bound to recognise that these are the correct and real opinions of the people of this country. Let them examine them and say definitely that, as the Government charged with the responsibility for the welfare of the people, they are also concerned that this is the thing that is needed to be done immediately. By expressing that opinion, the Government of India will not be going against any Act of Parliament, and the ultimate authority of Parliament is in no way jeopardised. That is one point.

Secondly, what we say is this. Is this ultimate authority of Parliament a thing altogether newly conceived or recently thought of? Was the ultimate authority not vested in Parliament when similar constitutions

[Mr. M. S. Aney.]

were permitted to be framed for the Dominions like Canada, Australia and other Colonies? Were the requirements, which the theory of the ultimate authority of Parliament now requires the Government to expect the people of this country to satisfy, fully satisfied before allowing these Colonies to settle a constitution for themselves? So the ultimate authority in the hands of Parliament is obviously in no way inconsistent with the demand for self-determination and Dominion status made by the people, and that ought not to be made the excuse to evade an answer to a categorical question which is raised before this House. In fact, what do they actually do when they send a plenipotentiary to negotiate treaties with other countries? Parliament do not settle the terms of the treaty. The Government take upon themselves the responsibility of giving certain instructions to their plenipotentiary, and he goes there and negotiates with the plenipotentiaries of other countries and settles and even signs the terms of the treaty, and the Government take upon themselves the responsibility of getting that treaty ratified by Parliament, because it places before the country the issue and says, "Either ratify it, or we are prepared to go out of office." Is that the position which the Government of India are prepared to take with regard to the people of this country? That is the simple question which is raised in the form of a special cut, which is placed before the House. The non-committal attitude of the Government of India is not acceptable to us. The Government attitude is briefly this. They say, "We are not going to say anything for you; we shall only say what we are instructed to say; we do not want to say a word beyond that. And we refuse to learn from you what the real desire of the people of this country is; we shall see the country through certain spectacles furnished to us by somebody else outside the country." That is the attitude of the Government of India. Now, Sir, they want to read the situation in India through the Report of the Simon Commission. Is it not really damaging to them? They have been governing us for the last ten years, after the last reforms came into existence. They ought to know more than anybody else whether the constitution has succeeded or not. They ought to know whether the people are ripe for a better constitution or not. They are certainly the people as responsible officers in this country best qualified to judge of these things, and as such they do not stand in need of any enlightenment from any Report to be made by any Commission from outside India. So I do not think that, for the purposes of enlightenment or for the purposes of getting information, or for the purpose of forming any opinion on this question, the Government of India stand in need of any information or inspiration to be supplied by a Commission which is made up of certain persons about whom I do not want to speak now, because that matter had been threshed out already before on the floor of this House. I therefore do not understand the propriety of the two objections behind which the Members of the Government want to take their stand and evade categorical replies to the questions raised. Therefore, I think, Sir, that these two objections can be easily brushed aside as unreal. Well, I do not want to take much time of the House, because I think the question should be voted at any rate today.

Mr. President: Why should it be put to the vote today?

Mr. M. S. Aney: I feel like that, Sir. As you know, Sir, I did not rise and I was not very anxious to speak on this subject today till the motion for closure was voted down. Anyhow, these were the only two constitutional points that were raised, but when I examined these points I found there was not much force in either of them.

Sir John Simon the other day made a speech and tried to explain that the Commission was here only to collect information. For whose benefit? For the benefit of the British Parliament, which appointed them and is going to appoint certain other Members to have a sort of round table conference with the Indian representatives here. If that is going to be the position, if that correctly represents the scope of the inquiry, and if it has got nothing else behind it, I believe the Government of India today need not wait for any enlightenment from the Report. It is intended for the information of somebody else, and they may get this enlightenment in any way they like, but the Honourable Members on the Treasury Benches as the Government of India, sitting in the position of our rulers, claiming always the right to speak in the name of the people of India at the international conferences, ignoring our legitimate claims as Indians, can now certainly hear what we have to say on the floor of this House and make up their minds on the point. If they do not want to accept our case, let them say so. But they cannot, and ought not, to take shelter behind the Commission, which is not at all collecting information for them, but for somebody else. They cannot take shelter behind the Commission and say that, after they have reported, it will be the proper time for the people of India to discuss the question of the constitution in this House. That is what Sir John Simon himself has said. I do not know whether he has correctly interpreted the scope of the inquiry in which he is engaged. But the correct position is that there is absolutely no need for the Government to have any additional information. They should either say that we, the accredited representatives, have stated the position correctly and faithfully, or plainly tell us that we are wrong. I want the non-official Members in this House to look at the whole thing from this point of view; they should brush aside, for the time being, the extraneous issues that have been raised, which have unnecessarily excited heat and caused a good deal of misunderstanding also. I hope the House will take a sober, solemn, and responsible view of the whole affair and record its vote in favour of the motion.

Several Honourable Members: The question may now be put.

Mr. T. Gavin-Jones (United Provinces: European): Sir, I will not occupy more than a few minutes of the time of the House. I wish to clear up one or two misconceptions.

Mr. President: Misconceptions?

Mr. T. Gavin-Jones: The Honourable Member, Mr. Munshi, twitted this Group and the Government Benches and implied that we were delighted at the turn which the debate had taken. I would like to make it quite clear that we are not at all delighted over the differences between the communities. We are included in those communities, and we differ from other communities on this constitutional point, and we are not delighted at the differences at all, either between Hindus and Mussalmans,

[Mr. T. Gavin-Jones.]

or between ourselves or anybody else, but we are pleased that this constitutional matter should be discussed and clearly stated. We have heard a lot about the Nehru Report, and we are very glad that the position is now being made clear.

The Honourable Member, Mr. Munshi says that there is no difference between Dominion status and Independence. He tries to make out that my friend Colonel Crawford, when he asked the Honourable Pandit to state his position clearly, was asking for something that was quite irrelevant and of no value because Dominion status and Independence are the same thing. Now, Sir, there is a fundamental difference, and I do not think Honourable Members on the Swarajist Benches have quite realised that there is a fundamental difference. For what purpose was the Civil War fought in Ireland after the grant of Dominion status? The issue was between Independence and Dominion status. I would like Honourable Members on the Swarajist Benches, who flirt so readily with Independence, to realise that Dominion status involves a responsibility as well as a privilege. The privilege is to belong to the British Empire—a great privilege—but it also involves the responsibility of loyalty to the British Empire, loyalty to the British Crown

Mr. President: It is a constitutional question for lawyers.

Mr. T. Gavin-Jones: And I cannot conceive of any Dominion breaking away from the British Empire and joining America or any other country.

Now, Sir, my friend, Mr. Jayakar, tried to restrict the issue to, "Dominion status, as soon as possible, with adequate safeguards for minorities". With that there is not a great deal to quarrel about and really there would be no necessity for a debate if that was all the issue. But it is clear from the speeches that have been made since he spoke, that the real issue is inextricably involved with the principles of the Nehru Report. I congratulate the Honourable Pandit, the Mover of the motion, on his ability to sit on the fence, but if he will forgive my saying so, we should sympathise with him a great deal more and have a great deal more respect for him if he came down definitely on one side of the fence or the other. Dominion status and Independence are incompatible. You cannot, in the same breath, mention both, and I will suggest to the Honourable Pandit that he should either frankly say that the Congress is for Independence or turn out those men who are for Independence. That is an issue which we in this Group want to have very clearly stated without any mistake at all. In regard to adequate safeguards for minorities, this is a matter on which we feel very deeply with the Muhammadans and other minority communities. This is vital to us, but the Honourable Pandit bids us to demand Dominion status without stating a very important so-called detail of this kind. In my opinion, and I think in the opinion of our Group, it is most important. Such matters as these should be decided before we demand Dominion status, and I hope therefore that all the minority communities and those who think as we do on this point will vote for the Government.

Several Honourable Members: Let the question be now put.

Mr. President: The question is:

"That the Demand under the head 'Executive Council' be reduced to one rupee."

The Assembly divided:

AYES—63.

Aiyangar, Mr. C. Duraiswamy.
 Auey, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Seena.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lal, Diwan.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. N. O.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Farookhi, Mr. Abdul Latif Saheb.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Hans Raj, Lala.
 Hyder, Dr. L. K.
 Ismail Khan, Mr. Muhammad.
 Iswar Saran, Munshi.
 Iyengar, Mr. A. Rangaswami.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. V. V.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. D. K.
 Lalchand Navalrai, Mr.
 Malaviya, Pandit Madan Mohan.

Mehta, Mr. Jannadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. S. C.
 Moonje, Dr. B. S.
 Mukuntar Singh, Mr.
 Munshi, Mr. Jehangir K.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 P'hookun, Srijiit T. R.
 Purshotamdas Thakurdas, Sir.
 Rang Behari Lal, Lala.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvatham.
 Roy, Mr. B. C.
 Sarda, Rai Sahib Harbilas.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Singh, Kumar Ranajaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. Rajivaranjan Prasad.
 Sinha, Mr. Siddheswar Prasad.
 Tok Kyi, U.
 Yusuf Imam, Mr.

NOES—52.

Abdul Aziz, Khan Bahadur Mian.
 Ahmed, Mr. K.
 Alexander, Mr. William.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmed, Khan Bahadur
 Nawabzada Sayid.
 Bajpai, Mr. G. S.
 Bower, Mr. E. H. M.
 Bray, Sir Denys.
 Chalmers, Mr. T. A.
 Chatterjee, the Revd. J. C.
 Coatman, Mr. J.
 Cocks, Sir Hugh.
 Cosgrave, Mr. W. A.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dalal, Sardar Sir Bomanji.
 French, Mr. J. C.
 Gavin-Jones, Mr. T.
 Ghazanfar Ali Khan, Mr.
 Gidney, Lieut.-Colonel H. A. J.
 Hira Singh, Brar, Sardar Bahadur,
 Honorary Captain.
 Hussain Shah, Sayyid.
 Jowahir Singh, Sardar Bahadur
 Sardar.
 Keane, Mr. M.

Lal, Mr. S.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mitter, The Honourable Sir Brojendra.
 Moore, Mr. Arthur.
 Mukharji, Rai Bahadur A. K.
 Mukherjee, Mr. S. O.
 Rainy, The Honourable Sir George.
 Rao, Mr. V. Panduranga.
 Rau, Mr. H. Shankar.
 Rau, Mr. P. H.
 Roy, Mr. K. C.
 Roy, Rai Bahadur Tarit Bhusan.
 Sams, Mr. H. A.
 Sassoon, Sir Victor.
 Schuster, The Honourable Sir George.
 Shah Nawaz, Mian Mohammad.
 Shillidy, Mr. J. A.
 Simpson, Sir James.
 Singh, Rai Bahadur S. N.
 Singh, Raja Raghunandan Prasad.
 Stevenson, Mr. H. L.
 Sykes, Mr. E. F.
 Webb, Mr. M.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.

The motion was adopted.