

11th March 1930

THE

# LEGISLATIVE ASSEMBLY DEBATES

*(25th February to 20th March, 1930)*

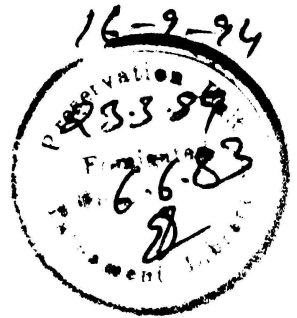
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## SIXTH SESSION

OF THE

## THIRD LEGISLATIVE ASSEMBLY, 1930

Chamber Fumigated. *18.10.73*.....



DELHI  
GOVERNMENT OF INDIA PRESS  
1930

# Legislative Assembly.

## *President :*

THE HONOURABLE MR. V. J. PATEL.

## *Deputy President :*

MAULVI MUHAMMAD YAKUB, M.L.A.

## *Panel of Chairmen :*

PANDIT MADAN MOHAN MALAVIYA, M.L.A.

MR. M. A. JINNAH, M.L.A.

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

SIR ZULFIQAR ALI KHAN, KT., C.S.I., M.L.A.

## *Secretary :*

MR. S. C. GUPTA, BAR.-AT-LAW.

## *Assistant of the Secretary :*

RAI SAHIB D. DUTT.

## *Marshal :*

CAPTAIN SURAJ SINGH BAHADUR, I.O.M.

# CONTENTS.

VOLUME II—25th February to 20th March 1930.

	PAGES.
<b>Tuesday, 25th February, 1930—</b>	
Members Sworn	1021
Short Notice Question and Answer	1021-23
Bills passed by the Council of State laid on the Table	1023
Messages from the Council of State	1023-24
The Railway Budget—List of Demands— <i>conclud.</i>	1024-84
Demand No. 1—Railway Board— <i>conclud.</i>	1024-82
Policy of Reservation of Compartments as "for Europeans"	1024-25
Reduction of Rates and Fares on the Bengal Nagpur Rail- way	1025-29
Racial Discrimination	1029-82
Demand No. 2—Inspection	1082
Demand No. 3—Audit	1083
Demand No. 4—Working Expenses: Administration	1083
Demand No. 5—Working Expenses: Repairs and Main- tenance and Operation	1083
Demand No. 6—Companies and Indian States' Share of Sur- plus Profits and Net Earnings	1083
Demand No. 9—Appropriation to Depreciation Fund	1083
Demand No. 10—Appropriation from Depreciation Fund	1083
Demand No. 11—Miscellaneous	1084
Demand No. 12—Appropriation to the Reserve Fund	1084
Demand No. 14—Working Expenses and Miscellaneous (Strategic Lines)	1084
Demand No. 7—New Construction	1084
Demand No. 8—Open Line Works	1084
Demand No. 15—New Construction and Open Line Works (Strategic Lines)	1084
<b>Thursday, 27th February, 1930—</b>	
Members Sworn	1085
Questions and Answers	1085-1116
Unstarred Questions and Answers	1116-20
Statement of Business	1120-21
Election of the Standing Finance Committee for Railways	1121
Election of Members to the Governing Body of the Indian Research Fund Association	1121
Election of Members to the Committee on Public Accounts	1122
Election of a Member to the Standing Committee for Roads	1122
Election of Members to the Committee on Public Accounts and the Standing Committee for Roads	1122
Demand for Supplementary Grant in respect of Railways	1122
The Cantonments (House-Accommodation Amendment) Bill— Passed as amended	1123

CONTENTS—*contd.*

	PAGES.
<b>Thursday, 27th February, 1930—<i>contd.</i></b>	
The Indian Income-tax (Amendment) Bill—Passed as amended	1123-24
<del>The</del> Insolvency Law (Amendment) Bill—Passed ... ..	1124
The Indian Companies (Amendment) Bill—Referred to Select Committee ... ..	1124-27
The Indian Railways (Amendment) Bill—Passed	1127-62
<b>Friday, 28th February, 1930—</b>	
Election of the Standing Finance Committee for Railways ...	1163
Election of Members to the Governing Body of the Indian Research Fund Association ... ..	1163
Presentation of the Budget for 1930-31 ... ..	1163-1201
The Indian Finance Bill—Introduced ... ..	1201
The Cotton Textile Industry (Protection) Bill—Introduced...	1201-02
<b>Tuesday, 4th March, 1930—</b>	
Members Sworn ... ..	1203
The General Budget—General Discussion ... ..	1203-52
<b>Wednesday, 5th March, 1930—</b>	
Questions and Answers ... ..	1253-85
Unstarred Questions and Answers ... ..	1285-1306
Message from the Council of State ... ..	1306
Amendment of Standing Order—Presentation of the Report of the Select Committee ... ..	1306
<del>The</del> General Budget—General Discussion— <i>concl'd.</i> ... ..	1306-58
<b>Thursday, 6th March, 1930—</b>	
The Indian Companies (Amendment) Bill—Presentation of the Report of the Select Committee ... ..	1359
Election of the Standing Finance Committee ... ..	1359
Election of the Standing Committee on Roads ... ..	1359
Procedure for the Election of Members to the Standing Finance Committee and the Standing Committee on Roads ...	1359-60
Election of a Panel for the Central Advisory Council for Railways ... ..	1360
The Indian Tariff (Amendment) Bill—Passed ... ..	1360
The Steel Industry (Protection) Bill—Passed ... ..	1361-62
The Indian Patents and Designs (Amendment) Bill—Amendments made by the Council of State agreed to ... ..	1362-63
The Special Marriage (Amendment) Bill—Motion to consider as passed by the Council of State withdrawn ... ..	1363-67
The Prisons (Amendment) Bill—Passed as passed by the Council of State ... ..	1367
The Repealing and Amending Bill—Passed as passed by the Council of State ... ..	1367-68

CONTENTS—*contd.*

	PAGES.
<b>Friday, 7th March, 1930—</b>	
Election of a Panel for the Central Advisory Council for Railways ... ..	1369
The General Budget—List of Demands— ... ..	1369-1412
Demand No. 29—Executive Council— ... ..	1370-1412
Irresponsible Nature of the Executive Council ... ..	1370-1412
<b>Saturday, 8th March, 1930—</b>	
Member Sworn ... ..	1413
Short Notice Question and Answer .. ..	1413-14
Statement of Business ... ..	1414
The General Budget—List of Demands— <i>contd.</i> ... ..	1414-1465
Demand No. 39—Army Department— ... ..	1414-65
Military Policy of the Government ... ..	1414-65
<b>Monday, 10th March, 1930—</b>	
Members Sworn ... ..	1467
Motion for Adjournment—Arrest and Conviction of Sardar Vallabhbhai Patel—Leave granted ... ..	1467-68
The General Budget—List of Demands— <i>contd.</i> ... ..	1469-1518
Demand No. 52—Home Department— ... ..	1469
Policy of Government regarding Political Prisoners and their Treatment ... ..	1469
Demand No. 36—Finance Department— <i>contd.</i> ... ..	1493-1518
Retrenchment throughout the Administration— <i>contd.</i> ... ..	1493-1518
Motion for Adjournment—Arrest and Conviction of Sardar Vallabhbhai Patel—Negatived ... ..	1518-1542
<b>Tuesday, 11th March, 1930—</b>	
Messages from the Council of State ... ..	1543
The General Budget—List of Demands— <i>contd.</i> ... ..	1543-1587
Demand No. 36—Finance Department— <i>contd.</i> ... ..	1543-46
Retrenchment throughout the Administration ... ..	1543-46
Demand No. 77—North West Frontier Province— ... ..	1546-69
Introduction of Reforms in the North-West Frontier Province on the Lines of the Major Provinces of India ... ..	1547-69
Demand No. 16—Customs— ... ..	1569-87
Cutting down a Lump Sum of 5 per cent. to balance the Budget ... ..	1569-73
Inadequate Representation of Muslims in the Customs Service ... ..	1573-80
Importation of Adulterated Articles for Human Consumption ... ..	1580-87
<b>Wednesday, 12th March, 1930—</b>	
Member Sworn ... ..	1589
Questions and Answers ... ..	1589-1644
Unstarred Questions and Answers ... ..	1644-50
Short Notice Question and Answer ... ..	1650-52
✓ The Abolition of Deferred Rebates Bill—Appointments to the Select Committee ... ..	1652

CONTENTS—*contd.*

	PAGES.
<b>Wednesday, 12th March, 1930—<i>contd.</i></b>	
The General Budget—List of Demands— <i>concl'd.</i> ... ..	1652-1713
Demand No. 17—Taxes on Income— ... ..	1652-73
Cutting Down a Lump Sum of five per cent. to balance the Budget ... ..	1653-72
Grievances of the Income-tax Office Establishments ... ..	1672-75
Income-tax Administration in Bengal ... ..	1676-78
Demand No. 18—Salt— ... ..	1678-88
Abolition of the Salt Tax ... ..	1678-87
Damage done by the Khewri Salt Mines to the Neighbouring Fields and the Jhelum District Board Property ... ..	1687-88
Demand No. 19—Opium— ... ..	1688-89
Checking the Consumption of Opium and Opium Smoking ... ..	1688-89
Demand No. 20—Stamps ... ..	1689
Demand No. 21—Forest— ... ..	1689-95
Revision of the Indian Forest Act, Forest Development and Policy in its Relation to Agriculture ... ..	1690-96
Demand No. 22—Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works— ... ..	1696-1701
The Famine Fund, Famine Protection and Irrigation ... ..	1695
Government's Embankment Policy ... ..	1700-01
Demand No. 23—Indian Posts and Telegraphs Department (including Working Expenses) ... ..	1701
Demand No. 24—Indo-European Telegraph Department (including Working Expenses)... ..	1701
Demand No. 25—Interest on Debt and Reduction or Avoidance of Debt. ... ..	1701
Demand No. 26—Interest on Miscellaneous Obligations ... ..	1702
Demand No. 27—Staff, Household and Allowances of the Governor General ... ..	1702
Demand No. 29—Council of State ... ..	1702
Demand No. 30—Legislative Assembly and Legislative Assembly Department ... ..	1702
Demand No. 31—Foreign and Political Department ... ..	1702
Demand No. 33—Public Service Commission ... ..	1703
Demand No. 34—Legislative Department ... ..	1703
Demand No. 35—Department of Education, Health and Lands ... ..	1703
Demand No. 37—Separation of Accounts from Audit ... ..	1703
Demand No. 38—Commerce Department ... ..	1703
Demand No. 40—Department of Industries and Labour ... ..	1703
Demand No. 41—Central Board of Revenue ... ..	1704
Demand No. 42—Payments to Provincial Governments on account of Administration of Agency Subjects... ..	1704
Demand No. 43—Audit ... ..	1704
Demand No. 44—Administration of Justice ... ..	1704
Demand No. 45—Police ... ..	1704
Demand No. 46—Ports and Pilotage ... ..	1704
Demand No. 47—Lighthouses and Lightships ... ..	1705
Demand No. 48—Survey of India ... ..	1705
Demand No. 49—Meteorology ... ..	1705

CONTENTS—*contd.*

	PAGES.
<b>Wednesday, 12th March, 1930—<i>contd.</i></b>	
<b>The General Budget—List of Demands—<i>concl'd.</i></b>	
Demand No. 50—Geological Survey ... ..	1705
Demand No. 51—Botanical Survey ... ..	1705
Demand No. 52—Zoological Survey ... ..	1705
Demand No. 53—Archæology ... ..	1705
Demand No. 54—Mines ... ..	1705
Demand No. 55—Other Scientific Departments ... ..	1705
Demand No. 56—Education ... ..	1705
Demand No. 57—Medical Services ... ..	1705
Demand No. 58—Public Health ... ..	1705
Demand No. 59—Agriculture ... ..	1707
Demand No. 60—Civil Veterinary Services ... ..	1707
Demand No. 61—Industries ... ..	1707
Demand No. 62—Aviation ... ..	1707
Demand No. 63—Commercial Intelligence and Statistics ... ..	1707
Demand No. 64—Census ... ..	1707
Demand No. 65—Emigration—Internal ... ..	1708
Demand No. 66—Emigration—External ... ..	1708
Demand No. 67—Joint-Stock Companies ... ..	1708
Demand No. 68—Miscellaneous Departments ... ..	1708
Demand No. 69—Indian Stores Department ... ..	1708
Demand No. 70—Currency ... ..	1708
Demand No. 71—Mint ... ..	1709
Demand No. 72—Civil Works ... ..	1709
Demand No. 73—Superannuation Allowances and Pensions... ..	1709
Demand No. 74—Stationery and Printing ... ..	1709
Demand No. 75—Miscellaneous ... ..	1709
Demand No. 76—Refunds ... ..	1709
Demand No. 78—Baluchistan ... ..	1710
Demand No. 79—Delh: ... ..	1710
Demand No. 80—Ajmer-Merwara ... ..	1710
Demand No. 81—Andamans and Nicobar Islands ... ..	1710
Demand No. 82—Rajputana ... ..	1710
Demand No. 83—Central India ... ..	1710
Demand No. 84—Hyderabad ... ..	1711
Demand No. 85—Expenditure in England—Secretary of State for India ... ..	1711
Demand No. 86—Expenditure in England—High Commissioner for India ... ..	1711
Demand No. 87—Capital Outlay on Security Printing ... ..	1711
Demand No. 88—Forest Capital Outlay ... ..	1711
Demand No. 89—Irrigation ... ..	1712
Demand No. 90—Indian Posts and Telegraphs ... ..	1712
Demand No. 91—Indo-European Telegraphs ... ..	1712
Demand No. 92—Capital Outlay on Currency Note Press ... ..	1712
Demand No. 93—Capital Outlay on Vizagapatam Harbour... ..	1712
Demand No. 94—Capital Outlay on Lighthouses and Lightships ... ..	1712
Demand No. 95—Commuted Value of Pensions ... ..	1713
Demand No. 96—New Capital at Delhi... ..	1713

## CONTENTS--concl'd.

	PAGES.
<b>Wednesday, 12th March, 1930--concl'd.</b>	
Demand No. 97--Interest-free Advances ... ..	1713
Demand No. 98--Loans and Advances bearing Interest ... ..	1713
<b>Thursday, 13th March, 1930--</b>	
Member Sworn ... ..	1715
Message from the Council of State ... ..	1715
Bills passed by the Council of State laid on the Table ... ..	1715
Statement of Business ... ..	1716
Election of the Standing Finance Committee ... ..	1717
The Hindu Gains of Learning Bill--Presentation of the Report of the Select Committee ... ..	1717
Statement laid on the Table ... ..	1717-21
Election of a Member to the Standing Committee on Roads ... ..	1722
The Cotton Textile Industry (Protection) Bill--Discussion on the motion to consider adjourned ... ..	1722-69
<b>Monday, 17th March, 1930--</b>	
Members Sworn ... ..	1771
Questions and Answers ... ..	1771-1800
Election of a Member to the Standing Committee on Roads ... ..	1800
Election of Members to the Committee on Public Accounts ... ..	1800-02
Statement laid on the Table ... ..	1802
Election of Members to the Standing Committee on Pilgrimage to the Hedjaz ... ..	1802-05
Procedure for Election of Members to the Standing Committee on Pilgrimage to the Hedjaz ... ..	1805
The Silver (Excise Duty) Bill--Introduced ... ..	1805-06
The Cotton Textile Industry (Protection) Bill--Discussion on the Motion to consider adjourned ... ..	1806 58
<b>Tuesday, 18th March, 1930--</b>	
Member Sworn ... ..	1859
Questions and Answers ... ..	1859-77
Unstarred Questions and Answers ... ..	1877-81
Election of Members to the Committee on Public Accounts ... ..	1882
Election of Members to the Standing Committee for Roads ... ..	1882
The Indian Finance Bill--Discussion on the Motion to consider adjourned ... ..	1882 1929
<b>Wednesday, 19th March, 1930--</b>	
Questions and Answers ... ..	1931-48
Unstarred Questions and Answers ... ..	1948 50
Election of Members to the Standing Committee for Roads... ..	1950
The Indian Finance Bill--Discussion on the Motion to consider adjourned ... ..	1951-2012
<b>Thursday, 20th March, 1930--</b>	
Members Sworn ... ..	2013
Short Notice Questions and Answers ... ..	2013-22
Message from the Council of State ... ..	2022-23
Statement of Business ... ..	2023-24
The Indian Finance Bill--Discussion on the consideration of clauses adjourned ... ..	2024 79



# LEGISLATIVE ASSEMBLY.

*Tuesday, 11th March, 1930.*

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

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## MESSAGES FROM THE COUNCIL OF STATE.

**Secretary of the Assembly:** Sir, the following two Messages have been received from the Secretary of the Council of State:

"I am directed to inform you that the Bill further to amend the Indian Income-tax Act (Amendment of sections 2, 23, etc.), 1922, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 6th February, 1930, was passed by the Council of State at its meeting held on the 10th March, 1930, with the following amendment, namely:

'For clause 11 of the Bill the following clause was substituted, namely:

"11. In sub-section (2) of section 66 of the said Act:

(a) after the word and figures 'section 32' the words and figures 'or of a decision by a Board of Referees under section 33A' shall be inserted; and

(b) after the word 'order' in the second and third places where it occurs, the words 'or decision' shall be inserted."

The Council of State requests the concurrence of the Legislative Assembly in the amendment."

The second Message runs as follows:

"I am directed to inform you that the Bill further to amend the Indian Income-tax Act (Amendment of sections 14, 25A, etc.), 1922, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 20th February, 1930, was passed by the Council of State, at its meeting held on the 10th March, 1930, with the following amendment, namely:

"In clause 1 for the brackets and word "(Amendment)" the brackets and words "(Second Amendment)" were substituted."

The Council of State requests the concurrence of the Legislative Assembly in the amendment."

Sir, I lay on the table the Bills, as amended by the Council of State.

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## THE GENERAL BUDGET—LIST OF DEMANDS—*contd.*

DEMAND NO. 36 —FINANCE DEPARTMENT—*contd.*

*Retrenchment throughout the Administration.*

**The Honourable Sir George Schuster** (Finance Member): Sir, when the hour struck yesterday afternoon, I was just on the point of concluding my remarks. In order to make clear what I had intended to say in conclusion, I would repeat what I had just begun to say. I was taking the point

[Sir George Schuster.]

that, although I welcomed the expression of a desire on the part of this House for active steps towards retrenchment, I thought that the appointment of a committee, an unofficial committee, just at this time would not serve any useful purpose, and I asked this House to accept the action which I myself was taking, as sufficient and as the most appropriate form of action at the present stage. I told the House that I hoped to have a full analytical report showing exactly the nature of the growth of expenditure and the causes of that growth during the last five years and I hoped to have such a report completed in time for the Simla Session, and I hoped then to place in the hands of all Honourable Members that report. But I also made it clear that I could not absolutely promise that such a report would be ready, but that I would do my best to see it was ready. I think that, if that action is taken, such a report will serve to show what particular items do require special attention, and I believe that, with that report in their hands, Honourable Members could consider what further action they would desire to recommend to the Government with greater intelligence and with greater value to the public than would be possible at present. I am quite prepared to discuss the matter further with leaders of the various parties outside this House, but I submit that this, in all the circumstances, will be the most useful course. It would be very difficult to get any committee, such as has been suggested, going at present, and with all the interruptions of business caused by the move between Delhi and Simla, I doubt if much useful work could be carried out before the time of the next Simla Session. I put these views before the House, Sir, and leave Honourable Members to form their own opinions on it.

Before I conclude, I should just like to make one reference to a particular item which is mentioned in the later portion of my remarks. I made some reference to the undertaking of new expenditure in connection with broadcasting. I should like to make clear on behalf of my Honourable colleague, the Member for Industries and Labour that, in stating that he himself had approached the leaders of various parties to obtain an expression of opinion, I was making a statement which was not quite correct. He himself did not make first move in the matter. He was actually approached by the unofficial leaders, and that in a sense strengthens what I had to say yesterday. But in connection with that incident, as I have had to mention it again, I should like to make clear to this House exactly what was in my mind. I had no purpose then of arousing a controversy or making any sort of counter attack. I had only this in mind. In a recent debate, the question was raised of the irresponsibility of the present Government, and that of course led to remarks as to the unsatisfactory nature of the present constitution. We all feel that the present constitution is not entirely satisfactory. I perhaps feel on my side sometimes—and that was what I was trying to express—that the irresponsibility or the irremovability of the present Government sometimes leads to a certain amount of irresponsibility on the part of the Opposition. Whatever the circumstances and conditions under which we have to work now, we have however to face realities, and we have to make the best of things as they are, and I, for one, have always tried to take advantage of the machinery which is available at present to obtain the fullest views from unofficial Members as to their opinion on matters of finance. For

that purpose, I have myself found the Public Accounts Committee and the Standing Finance Committee of the greatest possible value and I have thought it one of the most important of my duties to use the occasions provided by the meetings of those Committees to give to representatives of the unofficial parties the fullest opportunity to gain knowledge of the public finances and to instruct themselves in the handling of public finances. What I had in mind when I referred to those particular items was that I had hoped that, with those opportunities, we should get intelligent criticism of particular items when it came to the discussion of the Budget on the floor of this House, and sometimes one does feel, and I felt it last year, that a great deal of time is given up to other matters and that the constitution could be worked more effectively—certainly from the point of view of financial control—if more time were taken for the examination of particular items during the budget debates. It was simply an expression of my desire to make the fullest use of the present constitution that I had in mind when I made those remarks. I hope, Sir, that I have made my position clear, and I hope that I have also made it clear that it is our desire to meet the wishes which have been expressed as regards the critical examination of Government expenditure and as regards the exercise of the most rigid control of expenditure. I trust that whatever I have said as the procedure which we had in mind will satisfy Honourable Members on this question.

**Mr. President:** Does the Honourable Member wish to press it to a division?

**Sir Hugh Cocks** (Bombay: European): Yes, Sir.

**Mr. President:** The question is:

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

The Assembly divided:

AYES—45.

Abdoola Haroon, Haji.  
 Abdul Matin Chaudhury, Maulvi.  
 Abdull'ah Haji Kasim, Khan Bahadur  
 Haji.  
 Alexander, Mr. W.  
 Anwar-ul-Azim, Mr.  
 Birla, Mr. Ghanshyam Das.  
 Chetty, Mr. R. K. Shanmukham.  
 Cocks, Sir Hugh.  
 Crawford, Colonel J. D.  
 Dutta, Rai Bahadur S. C.  
 Ghazanfar Ali Khan, Raja.  
 Ghuznavi, Mr. A. H.  
 Gour, Sir Hari Singh.  
 Gulab Singh, Sardar.  
 Henthcote, Mr. L. V.  
 Jehunzir, Sir Cowasji.  
 Kelkar, Mr. N. C.  
 Kunzru, Pandit Hirday Nath.  
 Lalchand Navalrai, Mr.  
 Lamb, Mr. W. S.  
 Lindsay, Sir Darcy.  
 Malaviya, Pandit Krishna Kant.  
 Malaviya, Pandit Madan Mohan.

Mody, Mr. H. P.  
 Moonje, Dr. B. S.  
 Moore, Mr. Arthur.  
 Murtuza Saheb Bahadur, Maulvi  
 Sayyid.  
 Neogy, Mr. K. C.  
 Patil, Rao Bahadur B. L.  
 Purshotamdas Thakurdas, Sir.  
 Rahimtulla, Mr. Fazal Ibrahim.  
 Rajan Bakhsh Shah, Khan Bahadur  
 Makhdum Syed.  
 Rao, Mr. G. Sarvotham.  
 Reddi, Mr. T. N. Ramakrishna.  
 Scott, Mr. J. Ramsay.  
 Shafee Daoodi, Maulvi Mohammad.  
 Shah Nawaz, Mian Mohammad.  
 Siddiqi, Mr. Abdul Qadir.  
 Singh, Mr. Gava Prasad.  
 Sinha, Mr. Rajivaranjan Prasad.  
 Suhrawardy, Dr. A.  
 Talatulev, Mr. S. D.  
 Yakub, Maulvi Muhammad.  
 Ziauddin Ahmad, Dr.  
 Zulfqar Ali Khan, Sir.

## NOES—34.

Abdul Aziz, Khan Bahadur Mian.  
 Banarji, Mr. Rajnarayan.  
 Baum, Mr. E. F.  
 Coatman, Mr. J.  
 Cosgrave, Mr. W. A.  
 Creer, The Honourable Sir James.  
 Crosthwaite, Mr. H. S.  
 Dalal, Dr. R. D.  
 Ferrers, Mr. V. M.  
 French, Mr. J. C.  
 Gwynne, Mr. C. W.  
 Hamilton, Mr. K. L. B.  
 Hira Singh Brar, Sardar Bahadur,  
 Honorary Captain.  
 Howell, Mr. E. B.  
 Jawahar Singh, Sardar Bahadur  
 Sardar.  
 Mitra, The Honourable Sir Bhupendra  
 Nath.

Mitter, The Honourable Sir Brojendra.  
 Monteath, Mr. J.  
 Mukherjee, Rai Bahadur S. C.  
 Noyce, Sir Frank.  
 Pai, Mr. A. Upendra.  
 Parsons, Mr. A. A. L.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Rau, Mr. H. Shankar.  
 Roy, Mr. K. C.  
 Sahi, Mr. Ram Prashad Narayan.  
 Sams, Mr. H. A.  
 Sarfaraz Hussain Khan, Khan  
 Bahadur.  
 Schuster, The Honourable Sir George.  
 Slater, Mr. S. H.  
 Tin Tut, Mr.  
 Yamin Khan, Mr. Muhammad.  
 Young, Mr. G. M.

The motion was adopted.

**Mr. President:** The question is:

"That a reduced sum not exceeding Rs. 11,49,900 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of 'Finance Department'."

The motion was adopted.

## DEMAND NO. 77—NORTH WEST FRONTIER PROVINCE.

**Mr. President:** The House will now proceed to consider the Demand for Grant under the head, "North West Frontier Province". I understand the Central Muslim Party wants to raise a question on that Demand. This will take us up to the recess hour. In the afternoon we shall have to take up the grants in the order in which they appear on the Agenda. I had promised to give two hours to unattached Members, but I have not so far been satisfied that there is any agreement amongst them, and therefore we shall proceed with the order on the paper.

**Mr. B. K. Shanmukham Chetty** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): With regard to the unattached Members, we did not give up the right, but we thought that, in the natural order of things, the very first motion of Sir Hari Singh Gour meets our point and therefore we did not think that any special time was necessary for us.

**Mr. President:** That is the Honourable Member's view. But Sir Hari Singh Gour said that there was some other cut in his name which he was going to move. I asked him to satisfy the Chair that there was general agreement; but as he could not do so, I thought I had better give it up.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhammadan): On behalf of the unattached Members, I may be permitted to say that we held several meetings and we came to the conclusion that it would serve the best purpose of the Assembly if we moved a few of the five per cent. cuts.

**Mr. President:** Very well. Why did the Honourable Member say that he would like to move some other cut?

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadian Urban): He was unauthorised to do that.

**The Honourable Sir George Schuster** (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 1,06,35,000 be granted to the Governor General in Council to defray the charges that will come in course of payment during the year ending 31st of March 1931, in respect of the 'North West Frontier Province'."

*Introduction of Reforms in the North West Frontier Province on the lines of the Major Provinces of India.*

**Mian Mohammad Shah Nawaz** (West Central Punjab: Muhammadan): Sir, I beg to move:

"That the Demand under the head 'North West Frontier Province' be reduced by Rs. 100."

The subject matter of my cut is the introduction of the reforms in the North West Frontier Province, subject of course to the safeguards, rights and interests of the minorities. Sir, the famous declaration of 20th August, 1917, promised constitutional reforms to all India. It made no invidious distinction between province and province. It made no unfair discrimination between the North West Frontier Province and the rest of India. We understand that a solemn pledge of the British people that India will, as quickly as possible, achieve the status of a Dominion holds good. That solemn pledge can never be recalled.

(At this stage Mr. President vacated the Chair which was occupied by Sir Zulfiqar Ali Khan.)

It therefore follows that nobody has got the right to deprive any part of India of the reforms which were given to the other provinces. If the Government were honest in their intention to concede the legitimate rights and aspirations of the Frontier people they should have introduced the reforms into the North West Frontier Province forthwith. If it is true—and there is no doubt that it is true—that the contentment and well-being of the North West Frontier Province depends on the attitude of the people of that province, then I submit that there should be no hesitation to extend the reforms to that province. However, the authors of the Montagu-Chelmsford Report thought fit, for reasons known to themselves, to exclude the North West Frontier Province and Burma from the operation of the Act of 1919. The Burmese, realising the gravity of the situation, set up a very violent agitation, as a result of which they were given a full-fledged constitution without further delay. Calm was restored in that province. But the people of the North West Frontier Province, living as they are under the iron heel of the Frontier Crime Regulation, were helpless. They have no freedom of speech and action. Hence the situation created by the Government is one of desparation. It has given rise to great dissatisfaction amongst the people of the North West Frontier Province. It has created great bitterness, and will probably lead to great agitation. The consequences of withholding the reforms from the North West Frontier Province are fraught with danger, and if there is any movement of civil disobedience in that part of the country, I say without hesitation that the fault will lie with the Government and not with the inhabitants of the North West Frontier Province.

Now, Sir, so far as this House is concerned, its verdict has been unanimous and emphatic on the question of the introduction of the reforms in that province. In 1921, Sir P. S. Sivaswami Aiyer moved a Resolution

[Mian Mohammad Shah Nawaz.]

recommending to the Government to appoint a committee to inquire into the question of reforms in the North West Frontier Province. In pursuance of that Resolution, a committee called the "Bray Committee" was appointed. It was presided over by our most popular and esteemed friend, Sir Denys Bray, whose absence we feel very much. The Committee thoroughly investigated the matter. It came to the conclusion that reforms must be introduced in the Frontier Province. It recommended that a Legislative Council, with an elected majority, should be given to that province. The Committee also came to the conclusion that the virile and manly people of the North West Frontier Province were as intelligent as the inhabitants of the other provinces, and they were not in any way inferior to the people in the rest of India. They arrived at the conclusion that the expenditure of the reformed Council would come to Rs. 42,000 and that this was quite a paltry sum. They, therefore, strongly recommended to the Government to introduce an elective system of government in that province without further delay. But I regret to say that Government have taken no action so far on the recommendations of that Committee. I say that Government have gone to sleep over the matter. Again, in 1926, my esteemed friend Syed Murtuza Saheb moved a Resolution to the effect that a dyarchical system of government should be introduced in the North West Frontier Province on the lines of the other provinces. The Resolution was adopted. In 1928 my Honourable friend Khan Bahadur Sarfaraz Hussain Khan moved a Resolution asking the Government that the Resolution of 1926 should be given effect to. The Resolution was carried. The debate that followed was very momentous. During the course of the debate, La'la Lajpat Rai, a towering personality, whose untimely and sudden demise was mourned throughout the length and breadth of India, made a sensational speech. He was then the Leader of the Nationalist Party. He advised the Hindus not to oppose the extension of the reforms in the North West Frontier Province. He further said that, if the Government were sheltering under the idea that the Hindus were opposed to the extension of the reforms in the North West Frontier Province, the Government were very much mistaken. He, however, prophesied that, even if the attitude of the Hindus was quite clear in favour of the extension of the reforms, the Government would still delay the reforms. Well, Sir, the prophesy of that Honourable gentleman, whose death we all mourn, has come out to be true. Last year a token cut censuring the Government for delaying reforms in the North West Frontier Province was carried. It was supported by all parties. I ask the Government how long are you going to delay the reforms in the North West Frontier Province? After all it is admitted on all hands that the people of that province are quite intelligent and clever enough to manage their own affairs. I say it is immoral on the part of Government to withhold reforms from that province. The Government are obstinate, and it is terrible when obstinacy spurs on.

Now, Sir, it may be said that there may be some financial difficulty. As I have already said, the Bray Committee recommended that the expenses of a Council, a Minister and an Executive Councillor would not exceed Rs. 42,000. Sir, if you will look into the budget figures of the North West Frontier Province, you will see that there is not much difficulty in the way of the extension of reforms to that province from the financial point

of view. The North West Frontier Province, Sir, can be divided into two parts, namely, the five settled districts and the five unsettled agencies. If you were to demarcate the money between the two areas, you would find that, in the North West Frontier Province there is ample money for the expenses of the reforms in the five settled districts. We are not concerned with the five unsettled agencies, and nobody wants the introduction of the reforms in that tract. Further I submit that the Government have no business at all to charge the province with the civil expenditure in respect of the Border Militia and the Constabulary which is kept in the five settled districts for Imperial purposes. On this point, Sir, I take the liberty of citing a passage from the Report of the Bray Committee, which should be conclusive. This is what the Bray Committee said:

"But more than half the expenditure is incurred not only on civil administration proper, but in connection with the tribal tracts and border defence. The revenue of the tribal tracts is insignificant and expenditure on border defence yields no return in revenue. It is obvious therefore that if the expenditure of districts and tracts is taken as a whole, the expenditure in a time of rising prices must outrun the revenue. The largest increases since the formation of the province appear under the head Political (28 lakhs) and Police (40 lakhs). These large increases are partly due to the larger forces of Border Militia and Frontier Constabulary now found necessary to counter the vast improvement in the armament of the tribes, and partly to the enhanced rate of pay of all ranks which have had to be advanced *pari passu* with the increase in the pay of the Indian Army. Thus, the principal rise in expenditure has been incurred for the protection of India's land frontier, and for that it is clear that India as a whole must pay. It is out of the question for the frontier districts to bear the charge. It was not borne in the old days by the Punjab, for the Political head was always Imperial."

It therefore follows that, if the financial system of the province is overhauled in the manner I have suggested, the finances of the province will be quite adequate to bear the costs of reforms. Sir, I beg leave to say that the Frontier Province should have been given the reforms on the lines of the other provinces. This legitimate demand is overdue. The Government should also bear in mind that a full-fledged constitution on the lines of the major provinces should also be given in future, whatever that future constitution may be. The inhabitants of the Frontier Province are entitled to it in equity, in justice, and in logic. Nobody can deny the right of reforms to the Frontier Province, which is a part and parcel of India. Honourable Members are aware that the North West Frontier Province was a part of the Punjab. It was separated from the Punjab in the teeth of opposition. The province is the creation of the Government; it is not the creation of the people. Had it been part of the Punjab, it is quite clear that the province would have enjoyed the full-fledged constitution of the Punjab. There is no reason why it should not be given reforms on the lines of the major provinces. Government, I think, should not be slow in this matter. They must not play delaying tactics. I request them not to sit tight, not to allow things to drift; serious consequences will follow if reforms are not given without further delay. We cannot wait for the new constitution, which may take two years or more to come into force.

Sir, no one can deny the right of people of the North West Frontier Province to reforms. It is an all-India demand. It is a unanimous demand both of the Hindus and the Muslims. It must be granted forthwith. Sir, I move my cut.

**Maulvi Mohammad Shafee Daoodi** (Tirhut Division: Muhammadan): Sir, the cut moved by my Honourable friend, Mian Shah Nawaz, relates to a very simple matter. It has been, as he has said, repeated from

[Maulvi Mohammad Shafee Daoodi.]

time to time. Government have been, on their part, always giving us hopes that the matter is being considered, carefully and anxiously considered, but we do not understand why the delay has been so long. On the other hand, we find that the recent action taken by Government in regard to the North West Frontier Province relates to municipal election of the city of Peshawar. We had many communications in regard to that sent to us. The people of Peshawar complain that, even this little thing, does not come up to the mark. Election in the municipality of Peshawar has been introduced in a very half-hearted manner. They tell us that half the seats have been kept reserved for nomination by the Government, and only one half has been open to election, and that election proceeding also is not based on any sound principle. They do first of all fix a ratio of representation of the different communities inhabiting the town, and having fixed that, they manipulated the franchise in the city in a manner which might give the same result. Sir, that is the information which we are getting from the people of that city. Government seem to be reticent on these points. I tried to know on what basis this little thing had been introduced in that province, but I have not been able to get to the bottom of it. However, it appears that the Government want to be very very slow in giving the birthright of the people of that province, and it is for that reason that our friend, Mian Shah Nawaz, wanted to repeat his cut of last year. He said, as we have just now heard, that that towering personality, the late Lala Lajpat Rai, whose memory is so fresh in our minds, supported the measure whole-heartedly and he pleaded on behalf of the majority community in the Frontier Province, and asked his fellow Hindus in that province not to have any suspicions against the majority community, and to be prepared to fight for the reforms in that province. It had its effect, I know, because the Mussalmans of that province, who have met us since then, have been assuring us of the good feeling prevailing all through the province. The Muslims had the wisdom to satisfy the aspirations of the minority community in that province; they have been giving them all proofs of their goodwill all the time.

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran: Non-Muhamadan): But they are not satisfied.

**Maulvi Mohammad Shafee Daoodi**: I am told they are not satisfied by my Honourable friend, Mr. Gaya Prasad Singh. But I do not think his information is first hand; he might have read some of those papers which are engaged upon something in the name of nationalism, which is really the bitterest of communalism. I think his information is derived from some such paper; otherwise those who are living in that province and those who have their interests at stake in that province have given me information—I have got it personally—that they are satisfied with the assurances and with the dealings of the majority community in that province. I think Government can have no more excuse on that account.

But it appears to me, Sir, that there is something else behind it. It is not the Hindu-Muslim question or the majority and minority question in that province that keeps the province away from the ordinary reforms that we have here. It is something political, something of military strategy that prevents the people of the province from enjoying even that much of reform which we are enjoying in the other provinces. It is therefore necessary that the non-official Members here should lend their support, so that the Government's hands might be forced, and Government must understand that considerations other than those which are internal cannot



weigh with the people any longer. The political considerations, if the Government have any, must be placed before the House; they were certainly placed before the Bray Committee which was appointed for the specific purpose of finding out all the truth about it, and they were examined at that time at great length, and our old friend, Sir Denys Bray, whose memory we will always cherish in this House, dealt with the whole thing in a very equitable manner and came to the conclusion that the Frontier was the one province in India which must enjoy a far higher standard of administration than it was doing at that time. The military or political considerations which the Government have in their minds are their own creation. It is not for me to dwell upon those points here. Our learned friend, Nawab Sir Abdul Qaiyum, is sitting to represent the views of the Frontier Province, and he might enlighten us on that point if the Government are not going to disclose their cards on this point to the House. We have been pressing all the time for these reforms for no other reason than this, that the people there have been deprived of those little things which have been enjoyed by the most backward tracts in other parts of India. That is the sole reason why we have been pressing this point from time to time. Of course we have got to wait now and see what the reasons are which the Government put forward on this occasion for the delay that we have experienced, even in the introduction of elections in municipalities, and things like district boards in that province. We have got to wait and see what the Government have got to say on this point.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): Sir, the present question is practically between the Central Muslim Party and the Government (*Mr. Fazal Ibrahim Rahimtulla*: "Question.") and I would be very much interested to hear the reply of the Government on this particular question. If the reply is not assuring, then I would like the Central Muslim Party to consider whether the attitude which they have taken up uniformly in this Assembly should or should not be revised. (Hear, hear.) As far as the other parties are concerned, they will have sympathy for them. . . .

**Dr. A. Suhrawardy** (Burdwan and Presidency Divisions: Muhammadan Rural): What party is the Honourable Member speaking for? I thought he belonged to the Independent Party, but is he independent even of the Independent Party?

**Dr. Ziauddin Ahmad**: Sir, I have been connected for a very long time with generations of students from the Frontier Province, and I can say from personal knowledge that they are second to none in intellect and capacity for administration. They are as competent to carry on the affairs of their province as the people of any other province. I had, as I just said, opportunity to talk to the students of the Frontier Province year after year, and until two years ago, they had a tacit faith in the tact, common sense and the influence which my Honourable friend Nawab Sir Abdul Qaiyum exercises on the Treasury Benches, but recently I have noticed they are losing faith.

(At this stage Mr. President resumed the Chair.)

They are feeling convinced that the tact, good sense and moderation of my friend, Sir Abdul Qaiyum, does not pay them. One of the students went even so far as to remind me of the speech which Sir Bampfylde Fuller once delivered in Aligarh in 1911, soon after the annulment of the partition of Bengal, when he said that the loyalty of the Muhammadans did not pay

[Dr. Ziauddin Ahmad.]

so much as the bombs of the Bengalis. The student added that the revolutionary methods which they were contemplating would pay better than the moderation of the older generation. Sir, these are very important points, and I am convinced that, if these reforms are delayed for a very long time, the young men will get out of hand and to achieve the same form of Government which other provinces are enjoying they will use every method which young men all over the world are accustomed to adopt when they get desperate.

**Khan Bahadur Sarfaraz Hussain Khan** (Patna and Chota Nagpur ~~and~~ Orissa: Muhammadan): Sir, I rise to support whole-heartedly the motion of my friend Mr. Shah Nawaz. Eight or nine years ago this question was discussed. A committee was subsequently appointed under the Chairmanship of Sir Denys Bray. This Committee went over the province and made a thorough inquiry and collected a large amount of evidence. Now, I want to know if any result has come out of all that. Again, Sir, ten years ago, my friend Sir Sivaswamy Aiyer raised this question in the first Assembly, and then after that, cut after cut was moved in the House every year. I remember one of those cuts was moved by my friend, Sayyid Murtuza Saheb Bahadur, and I also had the honour of moving a cut, but up to this time, nothing has been done. I do not know what is in the mind of the Government. People of other provinces all testify to the fact that the inhabitants of the North West Frontier Province are as capable and as intelligent as the people of any other province in India. So, taking all these things into consideration, I do not understand why, when every other province in India has been given the right to manage its own affairs, the North West Frontier Province is deprived of that privilege. In these circumstances, Sir, I whole-heartedly support the motion moved by my friend Mr. Shah Nawaz.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, with reference to the question of reforms for the North West Frontier Province, as it has been raised by the Central Muslim Group, I am desired by my party to say that we have been meeting in a conference to try to settle our political and communal differences. Some Members of the Central Muslim Group and some Members of other Groups of this House are Members of this Conference and have been taking part in its deliberations. The question of reforms for the North West Frontier Province is included in the 14 points comprising the Muslim demands, which have been placed before the conference by my Honourable friend Mr. Jinnah on behalf of the Muslim community, and are under discussion at the conference. It seems to us very desirable that in the interests of a settlement which should be acceptable to all parties concerned, we should not commit ourselves to any opinions on this question today. Individuals hold different opinions. My party, therefore, after mature deliberation, has come to the conclusion that, in the circumstances of the case, Members of the party should not take part in this debate and that the party should abstain from voting. We have decided upon this course so that, from our side at least, nothing should be said or done which may hamper or perhaps have a prejudicial effect on our deliberations at the conference.

**Masivi Abdul Matin Chaudhury** (Assam: Muhammadan): Does it mean that you are to go back upon what you said last year?

**Pandit Madan Mohan Malaviya:** We have not said a word to justify that view.

**Nawab Sir Sahibzada Abdul Qayyum** (North-West Frontier Province: Nominated Non-Official): Sir, another year has passed, and we have to repeat the old story of the reforms for the North West Frontier Province. But today I do not find the same enthusiasm on the part of Members of this House to speak on this subject as they had before. Is it because their request, repeated time after time, has not been attended to by Government, and they have become so thoroughly disappointed and disgusted that they would not like to waste more time, or whether, as my friend Mr. Abdul Matin Chaudhury asked, some Members of this House, or a certain section of the House, had changed their minds and were going back upon an opinion which they had expressed before? Well, Sir, I do not think the latter is the case. I do not believe that they are likely to change an opinion which they had arrived at after mature consideration, after prolonged debates and after a very careful study of the whole case. I therefore conclude that they do not really see any advantage in passing Resolutions after Resolutions, which can produce no effect upon the Government. Perhaps, they think that it is not a question of Hindu-Muslim differences, that it is not a question of financial difficulty, that it is not a question of the will and wish of the people of that province for an advance that hinders their progress but that there is some other secret unknown to us in this House which deters Government from arriving at an early conclusion on this burning question of the day. It is just possible that Honourable Members do not want to stir up matters by making long long speeches, with the possibility of getting into difficulties over the details of the question of the protection of the rights of the minorities or some such thing.

Sir, I am quite aware, as the Honourable Pandit Malaviya has just pointed out, that there is a conference going on for the settlement of differences and disputes between the various communities in India. Not only that, Sir, but that the Report of the Simon Commission is also expected shortly, and nobody can anticipate what the position of the North West Frontier Province will be in that Report. Well, if the Honourable Pandit means that no advance, whether for the North West Frontier

12 Noon.

Province or for the whole of India, should be made until we come to some sort of settlement of the various questions engaging our attention, I am in full support of that view and feel sympathy for him—no further advance, not an inch of advance beyond what we have already got should be made until we have patched up our differences and disputes. Sir, I am referring to the further advance and say that there should be no Dominion Status or Independence, until we have settled our differences. That is quite a different point and it does not apply to the North West Frontier Province alone or to the delay in the extension of the present reforms to that province. We do not ask for anything further for the present. All that we ask is what has been decided upon for the rest of India and which the rest of India has been enjoying for a decade now. Our plea is that we are part and parcel of India and that we are fit for the exercise of those rights and privileges. Well, even, there I am prepared to meet the wishes of the Pandit Sahib if the present reforms are kept in abeyance, until we come to some decision among ourselves, whether through the All-Parties Conference or by some other means. But if the other provinces are going on with their reforms and deriving whatever benefits there are—I myself don't believe there is very much in them—I must repeat it once more, why should I be kept back from those advantages?

[Nawab Sir Sahibzada Abdul Qaiyum.]

A certain goal has been fixed for us, to be reached by certain methods, and the road to that goal has been chalked out for us. Unless we follow that route, we can never hope to reach the goal. We are in the first primary class. There were others too with us in that class. Somebody, by the stroke of a pen as the result of some whim or imagination, thought that there should be a separation between us and the rest of the good old Punjab. Ever since the separation, the Punjabis have been passing from class to class, and they are about to pass the primary examination, while we are still in the infant class. Is it going to be for ever? If that is the case, and if we are to be kept where we are, then I will have . . . .

**Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): No option except civil disobedience?

**Nawab Sir Sahibzada Abdul Qaiyum**: No option but to curse my stars and abide by what the decision has been, but I must be told that there is no advance for me. If the idea is that we should go back to some old system that existed in India or in our borderland, even that should be announced to us, and I personally shall not be sorry if we are allowed to go back to the old feudal system. Perhaps there will be a better chance for me there, but we are dead tired of this stationary condition—neither going forward, nor allowed to go back, and practically kept in a kind of mental jail for such a long time. That is the position. The signs are that there is an idea of our being sent back to the old position. What are the signs? The signs are that, while we were in the full exercise of all the rights and privileges of Indian citizenship ever since the annexation of the Punjab, and were rather better off in many respects, as compared with the rest of the Punjab, or as a matter of fact we had some superiority over them in education and in other capacities for Government services, we are now said to be backward, and the stigma of incapacity is attached to us. While the old Frontier Crimes Regulation could not inflict more than a fine of a thousand rupees in order to compensate a complaint, the Frontier Crimes Regulation can now inflict a sentence of 14 years and replaces the ordinary criminal laws of the country in many respects. It is a very simple procedure. You have not to face the bar, the ever increasing bar. All that you have to say is that judicial proof is not enough and that you would rather like the case to be sent before a Council of Elders, a people whom you consider unfit for opening a new road or a new school. You refer the case to them after the trained police have failed to trace the guilty, after a Magistrate, with his judicial knowledge and long experience, helped by high class barristers and pleaders, has failed to come to a conclusion whether a certain person is innocent or guilty. Then you say: Let the Council of Elders give a verdict as to whether a person is guilty or innocent, and on that verdict you sentence him to 14 years' imprisonment if declared guilty by that body—the same body which you cannot trust with the repairs of a road here or of a school there!

Sir, we are either fit or unfit. If we are unfit, then you should not pass such heavy punishments on our verdict, especially when others, more experienced than ourselves, have failed to come to a definite conclusion, people who, having heard the evidence and having inspected those parts, are unable to form a correct judgment. Well, Sir, I do not believe that we are unfit, because some of our people, even though they may be

illiterate, exercise fairly high judicial powers as Honorary Magistrates and Munsiffs. Does anybody mean to say that they have been given those powers without due regard to their fitness or to the fact that they will exercise them in the right way? Surely, the authorities who have invested them with those powers know something about their capacity for judgment and various other qualifications which are necessary for the discharge of magisterial duties. I am not convinced, therefore, that I am inferior in any respect to any other citizen of India, intellectually, physically or patriotically. I have been linked up with India, not only since the advent of British rule, but I had been a part and parcel of the Punjab even during the Sikh and the Durrani regimes, and God alone knows since when I have been linked up with this country! My association with India has been so long that I have adopted Urdu as my *lingua franca* in preference to my own mother tongue, Pushtu. All our official records and speeches, and even the elementary and primary education, are prepared and carried on in that language. Nor is this the only sacrifice that we have made for being called Indians; we have sacrificed at the altar of this country our culture, our ways of thinking, our manners and customs, and even our dress. Sir, if we are really part and parcel of India and have been so for ages and centuries, and if there is nothing so far to show that we are incapable of exercising our rights educationally, then I see no reason why we should be deprived of our privileges. My friend Dr. Ziauddin Ahmad has just now said that he gets hundreds and hundreds of students from my part of the country and he has found them to be much above the average, so much so that the much coveted office of the Vice-President of the Union of the Aligarh University has been captured three times by our students during the last three or four years. My friend Mr. Jinnah can also testify to their merits, because once he was the Umpire of a very great all-India competition in speech making, when the first prize was won by a Frontier student. All this, Sir, is with regard to my intellectual capacity.

As regards the expense, my friend, the Mover, has explained the situation very well. Only Rs. 48,000 will be the extra amount that will be required for the introduction of the reforms. There is the salary of a Minister at Rs. 2,000 per month. Let there be no paid Minister. Let somebody come forward as an honorary worker. Let even that Minister be some official. All that we want is the liberty of speech for ventilating our grievances. What makes us all the more despondent is that, even what there is in the Government of India Act for us, for instance, the Advisory Council, we have been deprived of. You take our advice at present about the guilt of a person, but you are not prepared to take our advice about the spending of a small sum of money under the head Education or Sanitation or Medicine or some other things of the sort. Why cannot you take our advice under these heads? The advice will not be binding on you, just as the advice of the Honourable Members of this Assembly is not binding on you. Where is the harm?

Then, Sir, when we were part of the Punjab, certain rules and regulations under the District Boards and the Municipal Acts were applicable to us, and we did fairly well under those laws. Now, when the changes have been made in those Acts and elective systems have been started in various places, we find that we have been deprived even of those privileges. I notice, Sir, that there is an idea prevailing all over the country that we are going to have something like the Morley-Minto Reforms. My

[Nawab Sir Sahibzada Abdul Qaiyum.]

friend Dr. Gour is perhaps one of those who are of that opinion. Does he mean to say that, when we have not started with the alphabets of these Reforms, we shall get the Morley-Minto Reforms even if we were prepared to accept them? So far as my limited knowledge of these things go, I am of opinion that, unless you start some sort of elective system in the district boards and municipalities at once, you will not be able even to efficiently form your Morley-Minto Councils. Have you done that? Is there much difficulty about the introduction of the elective system in our district boards and municipalities? A step was taken to introduce this elective system in the Peshawar Municipality; and what was the result? The result was very satisfactory. No heads were broken, as was apprehended, and there was no stoning, etc. In fact, we even scored over Lahore and Delhi and many other places, in that we elected from all the five constituencies five graduates, who were young men with legal qualifications, unlike Lahore, Delhi, etc., where at one time barbers and sweet-sellers and even sweepers were elected. If we were unfit for the elective system, we might have proved ourselves unworthy of the recent elections. Of course, it is possible that some people might not have been satisfied with the result of the election, because all oldish people like myself, were out of it. I am no longer a municipal commissioner. I was there quite recently and if I do not find my place there, that is quite natural. One of the places has been filled in by the same young man who won a prize at Aligarh—I mean Mr. Ataulla Jan, and several others of that class have won the elective seats. Surely that is not a bad result. As I say, there was no head-breaking at all, so why should that process be stopped from extension in other municipalities? Sir, there is a Persian proverb which says that a love story is always very long and very hard to repeat at length, I must therefore finish my story of reforms for the North West Frontier Province.

Sir, there is another objection, which I occasionally smell from certain quarters, that is, that the society there is based on certain tribal organisations and systems and institutions of that sort, and that, if you introduce the elective system there, you will be breaking the very fabric of society existing there! That is a thing which can better be seen on the spot than described on the floor of this House. You go to the North West Frontier Province and see whether there is any tribal organisation left after the destructive acts that have been applied to it during the last century. This process of destruction has been going on for the last 80 or 100 years and the result is that it has totally dismantled all the old organisations and there is scarcely anything left of it. Sir, I submit that the Pathans are very democratic by nature and are jealous of their birthright, as you find them in the tribal area, much more than the people of British India. Tons and tons of literature are crossing the Indus every morning, and I honestly tell you that the digestion of newspapers in that country is much larger than in many of the big towns in India. What movement has there been in India which has not crossed the Indus and reached the North West Frontier Province? The movements of 1919, 1921 and 1922, and even the recent movement started from Lahore, have all crossed the Indus and have found their way to the frontier.

Well, Sir, I am one of those who ought to be brief and I shall be brief on this occasion too. I will say once more, so as not be contradicting myself, that I am not a great believer in the present day reforms.

They will not lead us to anything very definite. But we have to follow the course chalked out for us and we do not want to be left behind in the march of progress for a degree examination, after passing which I shall be a full-fledged graduate and a full citizen of India. But if that is not possible for any reasons unknown to me, then I am as willing, if not more willing, to go back to the good old system and progress there. But I am voicing the views of my countrymen the younger generation of educated classes in the North West Frontier Province when I say that they are not happy in their present stationary position and that is all that I have to say.

**Colonel J. D. Crawford** (Bengal: European): Sir, my Honourable friend, Mian Mohammad Shah Nawaz, who moved this motion, has asked me to reaffirm the attitude which this Group took up last year regarding this particular problem. Throughout I hold that this Group has been entirely consistent in pressing for a measure of reforms for the North West Frontier Province. We are not unaware of the various difficulties that lie in the way, but they are not to our mind difficulties which cannot be overcome. I personally have the very utmost sympathy with my Honourable friend, Sir Abdul Qaiyum, who comes here not as an elected Member but as a nominated Member. He feels that his position in this House is weak, that his arguments on behalf of his own province are not so clear or strong as they would be were he here as an elected Member of that province. No one who has been in the North West Frontier Province can deny the character, the ability and the capacity of the virile population of those districts (Hear, hear.), and there is no reason why they should be denied some measure of an elective principle in their districts. I cannot believe that the justice of a demand of this nature should be made a pawn in any communal game. People of the North West Frontier Province are fit, and with the other provinces they should be given as big a measure of responsibility as has been granted to other provinces, subject possibly to certain restrictions necessitated by the defence of the frontier, and the Agency tracts for which they do not at the moment plead. This is the position which this Group takes up in this House, and if the cut goes to a division today, this Group will support my Muhammadan friends. (Applause.)

**Sir Zulfiqar Ali Khan** (East Central Punjab: Muhammadan): Sir, this subject has become so threadbare that there is hardly anything new to say. But as it concerns the liberties of a whole people, I think my silence on this occasion may be misconstrued. At the very outset I would like to say that I very much deprecate the position taken up by the Leader of the Opposition. I should like to know from him whether he and his followers exist in the world to harness the liberties of the people, or whether they exist in the world to widen the boundaries of freedom. What attitude are they taking up in connection with these two questions? If they stand in the way of the liberties of a province which forms an integral part of India, would they not be tightening the bonds of their own slavery? Would they not show to the world that, while they want freedom for themselves, they are not helping other people to gain freedom for themselves? Sir, I hope that the Leader of the Opposition and his party Members will reconsider their position and come forward honestly to say that the liberties of others are as dear to them as their own liberties. Sir, knowing from the talks of the people in the North West Frontier Province, and the impressions

[Sir Zulfiqar Ali Khan.]

I gained when I visited that province last year, I can say with firm conviction that those people are bent upon gaining as much liberty as any other people in India. They have come to the conclusion that British justice is a mythical thing, which exists only perhaps in the graves of those who built up this Empire. Sir, if the British Government will still follow the Fabian policy in connection with reforms in the North West Frontier Province, I think they will soon see the manifestation of the same spirit that you see in India. In the world there are only two forces, the sword and the spirit. The sword is finding expression, and I think may find expression very soon, but the spirit has declared itself earlier in India. The struggle is going to be very keen, and even the gods themselves may descend from heaven to watch the struggle. But, Sir, history shows that, in the long run, it is the spirit which conquers the sword.

**Mr. Vidya Sagar Pandya** (Madras: Indian Commerce): Why did this not dawn upon the Honourable Member yesterday?

**Mian Mohammad Shah Nawaz**: Is it the wish of the Honourable Member to upset law and order?

**Mr. Vidya Sagar Pandya**: Yesterday we talked about the spirit of non-co-operation and the Honourable Member did not vote with us. It was a question of the spirit not being subdued by the British Government by coercive methods.

**Sir Zulfiqar Ali Khan**: It is for you to co-operate.

**Mr. M. S. Aney** (Berar Representative): He stands for the spirit, not for the sword.

**Nawab Sir Sahibzada Abdul Qatyum**: Then you had better set a better example.

**Mian Mohammad Shah Nawaz**: Then start civil disobedience in Madras, where you have now settled.

**Dr. A. Suhrawardy**: He does not come from Madras; he comes from the Punjab.

**Sir Zulfiqar Ali Khan**: The previous speakers have shown to the fullest extent that the North West Frontier Province is as worthy, as fit and as enterprising as the people of India, if not more. Their brethren beyond the frontier, in Afghanistan, have shown that they are capable of undertaking enterprises and of resenting a form of Government which they do not like, and that they are capable of upsetting that Government and establishing their own Government. These people, if they are long denied the liberty which belongs to them, and the constitution which they rightly claim, will I think create trouble for the rulers, and it is for the British Government to consider the point before deciding whether they want trouble or tranquillity in that country. Human beings, I may say, are always ruled through the imagination. Let the British Government touch the hearts of the people and stir enthusiasm in them. Have they done this so far? On the contrary they have shown to the people here that, if possible, they will try to deny what is their due. Under these circumstances, I think the only course left open to the people is to show to the world that they are capable of asserting their rights. I have still some remnant of confidence left in the wisdom of Government and hope that they will not entirely dethrone their reason and will come to the help of the province



which so keenly desires the reforms; and I think I may make it clear at this juncture that the measure of reforms to be granted to them should be as much as is to be given to the rest of India.

Sir, we see that the British Government occupied the different countries of the world with their armies. They have occupied the Frontier Province also with their Army. May I ask them to occupy that country with their gifts? Let their gifts also occupy the country, and if these gifts come, the Army can be withdrawn because there will be no need for the Army.

Sir, I need not go beyond what I have said, and I will appeal to Government that, on this occasion, they should commit themselves and declare, not only to this Assembly but to the world outside, that they are a liberty-loving, constitution-loving and a freedom-loving people.

**Mr. Fazal Ibrahim Rahimtulla** (Bombay Central Division: Muhammadan Rural): Sir, when Dr. Ziauddin Ahmad began to speak, he did not make the position of our Party clear. What he really meant was that he wanted that the Government should define their attitude towards the cut which the Central Muslim Party have made, before the Independent Party took part in the discussion. But that did not mean that the Independent Party is not whole-heartedly for this motion. Sir, I deplore very much the attitude of the Nationalist Party on this question. I do not know whether they realise that, by this statement which they have made on the floor of the House, they have made the success of the All-Parties Conference extremely difficult. I therefore join with my friend, Sir Zulfiqar Ali Khan, in asking that Party to reconsider their decision in this matter. All along we were under the impression that this was a question of Indians *versus* Government. Indians were all for reforms for the North West Frontier Province, and it was the attitude of Government which was open to criticism. The statement is most deplorable in these circumstances. We want to know what exactly the attitude of Government is on this question. Before asking Government to define their position, it is necessary to state before the House the actual position of the Mussalmans regarding the reforms in the North West Frontier Province. In the All-India Muslim Conference held in Delhi under the Presidentship of His Highness the Aga Khan, before a most representative Muslim gathering, they passed this Resolution regarding the North West Frontier Province:

"Whereas the introduction of constitutional reforms in the North West Frontier Province and Baluchistan along such lines as may be adopted in other provinces of India is essential not only in the interest of those provinces, but also of the constitutional advance of India as a whole, the Hindu minorities in those provinces being given adequate and effective representation in excess of their proportion in population, as is given to the Muslim community in provinces in which it constitutes a minority of the population. . . ."

This is exactly the attitude of the Muslims for the protection of the minorities in the North West Frontier Province. If the Leader of the Opposition had said that there should be no further reforms granted to India unless and until the question of Hindu-Muslim differences is settled by the All-Parties Conference, which is going to hold its sitting on the 6th April, I could understand the logic of that argument. But only yesterday he was telling Government that, if they want Mahatma Gandhi not to launch civil disobedience, they should at once declare that they will give Dominion Status to India. Today he has selected one particular province

[Mr. Fazal Ibrahim Rahimtulla.]

out of this Dominion which he wants, and says that no further reforms should be given to the North West Frontier Province unless the Hindu-Muslim question is settled in the All-Parties Conference.

**Pandit Madan Mohan Malaviya:** I have said nothing of the kind. I have not said a word to show that we are opposed to reforms in the North West Frontier Province.

**Nawab Sir Sahibzada Abdul Qayyum:** Are you prepared to see Dominion Status extended to the North West Frontier Province or not?

**Pandit Madan Mohan Malaviya:** I said that we shall sit down and settle at the Conference. This is not to be done as an individual item. We have to sit down and settle it as a national programme.

**Nawab Sir Sahibzada Abdul Qayyum:** I mean that, if India gets Dominion Status, then you will not grudge its extension to the North West Frontier Province too?

**Mr. Fazal Ibrahim Rahimtulla:** Sir, it is one thing to say that there is no opposition to the reforms in the North West Frontier Province, and it is another thing to declare openly that they are in favour of the reforms there. It is no use saying this when we see the attitude of the Leader of this very Party two years ago. In 1928 what was the position of the Leader of the Nationalist Party? He was finding fault with Sir Denys Bray, the then Foreign Secretary, and he said, "Our quarrels are due to the uncertainty of Government accepting our position." Therefore the fight is between Indians and Government, and not between Hindus and Muhammadans especially in regard to the reforms in the North West Frontier Province. Again he says:

"Will you give us an assurance that you will accept any decision which the All-India Muhammadan and Hindu Associations arrive at, and carry it through?"

This is still the decision on behalf of Indians, and what was the reply of Sir Denys Bray? He preceded the late Lala Lajpat Rai, and his reply was that the Government attitude could be summed up in these words:

"The question what and in what direction constitutional advance can be given in the North West Frontier Province has been and is under the consideration of Government. No definite decision on that point has been arrived at and no definite decision on that point will be arrived at or announced till Government are satisfied that they have come to a right conclusion and that the moment for its announcement is ripe."

The question is, are Government in a position to tell us that the time has now come for them to declare their policy towards the North West Frontier Province reforms? Sir, in the Bray Report, if I may be permitted to read a little paragraph, it is quite clear what the authors think will be the result if no reforms are granted to the North West Frontier Province:

"We ourselves have a more robust faith in India's power of giving scope for the self-development of the Pathan as of her other peoples within her all-embracing nationality. And surely with good reason. Did the Frontier Province fail India in the stress of the Great War, which she felt in a way that the rest of India did not, or in the storm of the Afghan War, which spent itself on the frontier and left the rest of India unscathed? India has cause indeed to be thankful that it is a race as manly and as staunch as the Pathan that holds the ramparts for her on this historically vulnerable frontier. In the face of the record of the Frontier Province, tried in the supreme tests of 1914 to 1919, the fears of our Hindu colleagues are indeed idle. And if self-determination is to be allowed any play at all in India, it should surely be

allowed to the Pathan race whom Providence has interposed between India and foreign aggression. The danger from outside is there, as all past history shows; the mere administrative division of the warlike Pathan race—were this practicable—would not eliminate or even diminish it.”

And mark these words, Sir:

“Indeed the reverse is the more likely. For mistrust breeds mistrust.” (Hear, hear.) “The Pathan of the districts is now keenly alive to the issues before us, and if mistrust of the Pathan is to override the Pathan’s self-determination for self-development in a separate province, the danger of his turning westwards may become real.”

I wish Government would take serious note of what the feeling amongst the Pathans is and was even when the Bray Committee was in session. Now, if I may anticipate the reply from the Government, it may be that the Simon Commission Report is still awaited and that the Government have asked the representatives of India to meet in a Round Table Conference, and therefore it is for them to have their battle at the Round Table Conference in London. I hope I am right in anticipating that reply of the Foreign Secretary. But may I say, Sir, that whilst these two issues are still involved, it is but fair at this juncture to know what the Government attitude exactly is, because I am informed that, after the publication of the Simon Commission’s Report, the Government of India will be busy preparing their own case on the Simon Commission Report, and it would be necessary, Sir, to know what their attitude is at this juncture. I may also at once say that the Muhammadans are not prepared to accept the recommendations of the Nair Committee. Let that be understood once for all, that we are not prepared to agree that the North West Frontier Province should be treated differently from other provinces in India, and after making that position clear, I would like Government to pause and reflect as to what they are doing. If they have seen the present position in the North West Frontier Province, if they have seen the enthusiasm of the young students for the movement of Independence when the Congress was held at Lahore, they will reflect that, whilst the Mussalmans are for the maintenance of law and order in India and they yield to none in that aspect, yet let the Government not believe that they will be able to control these young students unless their just aspirations are met by the Government of India.

**Mr. E. B. Howell** (Foreign Secretary): Sir, I should like to begin by thanking my friend, the Honourable Mian Shah Nawaz Khan, and the other speakers who followed him, for two things; first, for the tone in which they spoke, and second, for the tributes which so many of them paid—I think I may say the very well deserved tributes that they paid—to my distinguished predecessor. Sir, nobody deplores more sincerely than I do Sir Denys Bray’s absence today. But since he is absent, there is one thing that I can do, which he perhaps, if he were here, could not well do for himself. I can proclaim that he really was a man whose ability and whose integrity the House did well to recognise, and as I read the reports of the ancient debates, I see that everybody who spoke then recognised how much they owed to Sir Denys Bray. Why was it, Sir, that they continually charged him especially with trickery, with evasion, with having done nothing and putting the thing off till now and generally playing with it for all these years, which lasted until this question was last in issue this time last year? Sir Denys Bray gave his own explanation. He said that there were real difficulties in the way of introducing the recommendations,

[Mr. E. B. Howell.]

which the Committee named after him, had made. There was, first of all, the inevitable difficulty of setting up a democratic constitutional government, with all the paraphernalia accompanying it, in such a small area as the North-West Frontier Province. There was the constitutional difficulty. There was the financial difficulty, which, if my friend will pardon me, does not consist in raising an extra Rs. 42,000, but in making the very large gap between what we may call the domestic expense of the province, and its own revenues, meet.

**Maulvi Sayyid Murtuza Sahab Bahadur** (South Madras: Muhammadan): On a point of information, Sir, may I know if the North-West Frontier Province is smaller than Coorg which has got a Council of its own?

**Mr. E. B. Howell:** I have no information as to the size of Coorg. But the fact remains that small areas do present certain difficulties in this respect. There was also the difficulty, which Sir Denys Bray used to allude to as the all-India difficulty. The House knows very well what that was. There was the communal difficulty, at any rate up till 1928, when, from the speeches delivered by the late Lala Lajpat Rai and others, there was good ground for hoping that that difficulty had disappeared, and finally, there was the practical difficulty, in that, until this Autumn, the elective principle, which necessarily at one stage or another is an essential part of all reforms, had not even been tried in the province. There were other difficulties which I think my Honourable friend, the Nawab Sahib, knows and which I know and I need not particularise them here.

**Mr. M. A. Jinnah:** But we do not know.

**Mr. E. B. Howell:** I will mention one.

**Maulvi Muhammad Yakub:** That is a very small one.

**Mr. M. A. Jinnah:** I have not heard it; tell us everything.

**Mr. E. B. Howell:** Sir, Sir Zulfiqar Ali Khan mentioned that a body of tribesmen entertained the Simon Commission to tea at Jamrud. Addressing Sir John Simon, they said "Aren't you going to give us reforms? You must not forget us, for we also want them. The fact must not be lost sight of that the peace of India depends on us". That, Sir, indicates one difficulty. Are the people of what we called the trans-border regions now to be excluded or to be included, and if included, how? Sir, when this question was last being discussed, Sir Denys Bray deliberately declared that wisdom was justified of her children in the policy of delay. Whether that is so or not, I at the moment am not prepared to say, but I would like to ask my friend, the Nawab Sahib, whether he agrees with me or not as to the reality of these difficulties, which I have mentioned.

**Nawab Sir Sahibzada Abdul Qalyum:** Which one, Sir?

**Mr. E. B. Howell:** All these difficulties. Are they real or not?

**Dr. A. Suhrawardy:** They are imaginary.

**Mian Mohammad Shah Nawaz** (West Central Punjab: Muhammadan): They are some small difficulties, but they are not insurmountable.

**Nawab Sir Sahibzada Abdul Qaiyum:** Not insurmountable.

**Mr. E. B. Howell:** But they do exist.

**An Honourable Member:** They exist in every part of India.

**Mr. E. B. Howell:** Nobody can surmount a difficulty which is not there. When you say that they are not insurmountable, I take it that you agree that they are there.

**An Honourable Member:** That is true of every part of India.

**Mr. E. B. Howell:** If my first witness, the Nawab Sahib, has failed me, I can quote.

**Mr. Anwar-ul-Azim** (Chittagong Division: Muhammadan Rural): Why don't you ask me who has lived on the frontier whether the difficulties are real or not?

**Mr. E. B. Howell:** Then, when Sir Denys Bray said that they were real, do you suppose he was not telling the truth?

**Mian Mohammad Shah Nawaz:** They seem to have been very much exaggerated.

**Mr. E. B. Howell:** That is a question of opinion. My second witness, who is also a very highly, and if I may say so, a deservedly respected Member of this House, is my friend, Sir Hari Singh Gour . . .

**An Honourable Member:** Question.

**Mr. E. B. Howell:** He says:

"We have perused all the literature on the subject including the Report of the Bray Committee, and we have come to the conclusion . . ."

I do not mean to say that I endorse every word which the Honourable Member says; I am merely quoting him:

" . . . we have come to the conclusion that, while the settled districts are most backward and have not even entered upon their political novitiate in local self-government, still the people there cannot be left out in the cold, while the rest of India is making rapid strides towards responsible government. At the same time we cannot delude ourselves into the belief that the jute that thrives in Bengal will equally thrive in Peshawar. We have to take into account not only geographical conditions but also those arising out of the strategic importance of the Frontier and the desirability of maintaining a continuous policy which has proved so successful. These considerations would have lost some weight were not the civil administration of the province in perpetual heavy deficit met out of the funds of the Central Government."

Sir, if that witness does not suffice, I can quote another also, an Honourable Member of this House.

**Mr. Muhammad Yamin Khan** (United Provinces: Nominated Non-Official): Does Dr. Gour believe that persons residing in the Central Provinces are better than those residing in the North-West Frontier Province?

**Mr. E. B. Howell:** I am not giving way to the Honourable Member. Now, Sir, the actual charge that is being brought against the Government on this motion at the moment is not that it has been very a long time making up its mind and has finally done nothing, but that Sir Denys Bray did not do anything since the question was last discussed in this House

[Mr. E. B. Howell.]

a year ago. Honourable Members, who have supported this motion this morning, have said that something should have been done in the interval since this motion, or one very nearly resembling it, was last discussed. I do not think they really meant that.

**An Honourable Member:** We certainly meant it.

**Mr. E. B. Howell:** To say that Government should have done something, or could do anything at all, after the Simon Commission had visited Peshawar, and before its Report could be published, I submit with due deference, Sir, is sheer lunacy and not statesmanship at all. However, Sir, I have no wish to indulge in recrimination. On the whole, in the face of very long delay, if I may say so, I think the House has exhibited remarkable patience and forbearance, for reasons which they apparently could not always understand, but which I believe I may say the Nawab Sahib himself and his supporters do recognise to be real.

May I add one word more, Sir, and in this I am speaking, not as Foreign Secretary, but simply as an Englishman, and as an Englishman, I must say that we have a natural sympathy for a people so like ourselves in our early stages of development as are the people of the North-West Frontier. We have a very strong desire to gratify the aspirations of such people. After all, Sir, though you may not believe it, as my Honourable friend, Mr. Amar Nath Dutt, reminded the House yesterday, the cause of liberty throughout the world owes a great deal to Englishmen. We, Sir, are the countrymen of Pym, and Hampden, and if my Scotch and Irish friends will pardon a slight extension, of Mill and Burke. But, Sir, whatever sympathy we may have for this movement, I think the House can hardly expect me at this stage, within a few weeks of the day on which the Simon Commission's Report is to be published, to make any definite statement. I do not know what the Simon Commission is going to recommend, and even if I did know, I could not divulge it. I do not know what action the Government are going to take on the recommendation of the Simon Commission, and even if I did know, I think you will agree that my lips would still have to be locked. But, Sir, I can promise one thing, and I am authorised to do so on behalf of Government, and that is, that Government are pledged to give their most serious, most earnest, and most sympathetic consideration to the question that is now before the House. The House may rest assured that, when the time for action comes, which is now near at hand, Government will not delay to take whatever action they think proper, and that there will be no more of that delay of which it has been complaining so long.

**Raja Ghazanfar All Khan** (North Punjab: Muhammadan): Sir, I rise to participate in this debate for the chief reason that I want to offer my heartiest congratulations to the Leader of the Opposition Party for adopting the attitude which the Party have adopted on this question. I also want to congratulate the Leader of the Central Muslim Party for the improvement which he seems to have made during the past few months. The reason for my congratulating the Leader of the Opposition Party is that, when a debate on this question took place in 1928, he was definitely opposed to any reforms being given to the Frontier Province, and now . . .

**Pandit Madan Mohan Malaviya:** I was not opposed to any reforms being given to the Frontier Province then, and I was never opposed to it at any time in my life.

**Raja Ghazanfar Ali Khan:** At least he then expressed such a strong opinion against reforms being extended to the North-West Frontier, and his speech then, which I would not like to quote, even a part of it, was extremely disappointing. But he has improved a good deal by making such a short and sweet statement today and saying that his party will remain neutral. On the last occasion the Swaraj Party was charged with a conspiracy of silence by Sir Denys Bray. Now that party have passed a Resolution and expressed the definite opinion that they are in favour of reforms being given to the Frontier Province. Today it is the Nationalist Party which may be charged with a conspiracy of silence. I am not very much disappointed, Sir, because I did not expect anything better, and it is merely a chance that the position or the attitude which this party may adopt is to be considered the attitude of the Opposition Party. Sir, I congratulate the Leader of the Muslim Party because I find that, in his minute of dissent, which he wrote when he was appointed on the Central Committee, he said that the reforms to be given to the North-West Frontier Province should be different from what should be given to the other provinces. But now I understand the Nawab Sahib is definitely of opinion that the North-West Frontier Province should get just the same reforms as any other province in India. I hope I am right, and I shall feel obliged if the Leader of the Central Muslim Party will tell me if I am right.

**Sir Zulfiqar Ali Khan:** You are perfectly right.

**Raja Ghazanfar Ali Khan:** Thank you. Now, turning to the Government, I do not find anything which I can take exception to in the Foreign Secretary's speech, particularly when he has tried to bring in the name of Nawab Sir Abdul Qaiyum whenever he talked of any difficulty. I wish the Nawab Sahib had more courage to get up and say that this is entirely wrong, and that there are no difficulties which can possibly stand in the way of the North-West Frontier Province getting the same reforms as any other province. The Frontier Province unfortunately seems to be associated so very closely with the appointment of committees, that as long as this system of appointment of committees exists in this world, I do not think there is any chance for that province to get any reforms. In 1917 the question was considered by the Montagu-Chelmsford Committee; after that, when they said "Yes, every province in India can get the reforms", the Bray Committee was appointed specially for the North-West Frontier Province. They recommended that reforms should be extended to the province at once. Then difficulties arose. I thought, Sir, that committees were only appointed when there were certain difficulties existing so that they could find out and suggest some means of overcoming them. I want to know from the Foreign Secretary whether the difficulties which he has enumerated today existed before the appointment of the Bray Committee or not. Did those difficulties exist then? Was the size of the Frontier Province larger than it is at present? Was the financial position of the province better than it is at present? Then, Sir, what happened? The Bray Committee recommended that the reforms should be extended to the North-West Frontier Province in spite of those difficulties.

**Mr. M. A. Jinnah:** That was in 1922.

**Raja Ghazanfar Ali Khan:** As is pointed out by my Leader, that was in 1922—eight years back; but then probably the Government thought that, "According to the Preamble to the Government of India Act, another committee has to be appointed at the end of ten years; so let us wait till then." And then, when some one raised this question, they could say, "Our difficulty is that a committee has already been appointed; how can we be expected to make a statement when the matter is already under the consideration of another committee?" So, Sir, really speaking, all these excuses which are enumerated by the Foreign Secretary, are absolutely groundless—without the slightest justification whatever; and I can assure you, Sir, that, in spite of the fact that the Nationalist Party unfortunately have decided not to express their opinion, every one of them feels at least this much, irrespective of the fact whether the reforms should be given to that province or not, that the reasons advanced by the Foreign Secretary are entirely ridiculous, if I may be excused from saying so. He says there are the difficulties of elections, and that the Frontier Province had never had elections before. Now, Sir, this difficulty is bound to continue, unless you introduce the system of elections there. How can you blame the people of the province for not having experience of elections, when you have not introduced elections there? As far as the Assembly is concerned, they have already passed without division a Resolution that the Frontier Province should get reforms. So the Government cannot say that the opinion of all-India leaders is opposed to the extension of reforms. At present, there is not a single Hindu in the Frontier Province who is opposed to the reforms being given to that province. The Muhammadans, on the other hand, are willing to give such safeguards as are necessary for the safeguard of the minorities interest. We do not want an All-Parties Conference for that; or any other organisation. The Hindus are 7 per cent., but we say, take 10 per cent., take 15 per cent., or 20 per cent.—even 30 per cent.; you get whatever safeguards you want to be provided in the constitution; we are willing to accept that. Why do you want any committee to be appointed, and why do you wait to see what the All-Parties Conference is going to decide?

**Dr. A. Suhrawardy:** They are waiting for the Simon Commission Report.

**Mr. M. S. Aney:** We were waiting for some time for the Central Committee's Report.

**Raja Ghazanfar Ali Khan:** And now they are waiting for the Simon Commission Report; and then there will be the Round Table Conference, and after that the matter will go to Parliament, and then probably the Government of India may have to appoint a small committee to go into the details, and then it will take another two years, and who knows, after that, another Howell Committee may not be appointed to inquire into the question whether the frontier should get reforms or not? I honestly feel, Sir, that something has gone wrong with the statesmanship of the Government. They know what the situation is in the country, and they are devising such means as will help them in the maintenance of law and order, by taking legal action against those who break the laws. But are they doing anything which would encourage those people who are willing to lend their co-operation to them? Is it too much to expect from the Government to make an announcement tomorrow morning that they are going to introduce the elective system throughout the Frontier Province in the District Boards and Municipal Bodies? It will take at least two or three, or even four, years till the new constitution is brought into force in India;



and for these three years the Government could give them the Minto-Morley Reforms or the Montagu-Chelmsford Reforms, or even Sir Denys Bray's scheme or by whatever other name they may call it; but give them some scheme. Is there anything to stop you from doing it? Will that be going against the Parliament Act if they announced tomorrow, "Let the Frontier Province get the Minto-Morley Reforms for three years; they will gain some experience thereby and they will be more suitable for the coming reforms than they would be otherwise"? What is there to prevent the Government from making that announcement? Do Government realise that, by making this one announcement, they will at least win over the good will of every single Muhammadan in India? Is the cost too much? (*An Honourable Member*: "They will secure the ill-will of others".)

This is one point. Take another question. For the last three months Government have been absolutely sleeping, and they have not done one single act which would please the public. Their reply on the Skeen Committee debate was extremely disappointing, and was responsible for such strong criticism coming even from such a moderate leader as Mr. Jinnah. And this is the attitude which they are now taking towards the question of the Frontier Province. Now, Sir, when you tell us that, because there is a certain party in the country which is opposed to this, and it is because of the opposition of the Hindu Mahasabha or the Nationalist Party, who have abstained from supporting this motion, that the Government will be reluctant in giving the reforms, I want to ask Government whether their policy is being governed by the Governor General in Council or by any outside communal organisation. (*Mr. Gaya Prasad Singh*: "Any communal organisation—quite right.") Such replies from the Government are sure to be understood by fair-minded people to mean that the only object is to keep the communal question alive between these two communities. What do they care whether the Hindus and Mussalmans agree on this point whether the reforms are necessary for the North-West Frontier Province or not. They always act according to their own decisions. If that is not the case, why should the Government bring forward an excuse like that? Now, here is the European Party. As my friend, Colonel Crawford, has said, they are going to walk into the same lobby with us on this motion, and so what is the objection which Government can possibly advance now? Even this party which is regarded as representing the community which has got the largest stake in the country is not afraid of reforms being extended to the North-West Frontier Province. Whether this motion is carried in this House or lost, is absolutely immaterial. The fact remains that, if the Government of India move immediately, may be on a very small scale, without waiting for the Simon Commission's Report, and do something for the Frontier Province so as to convince us that, after these Commissions have reported, they really mean to do something for the people of the Frontier Province to satisfy them, it will be so much the better; otherwise our grievance on this point will remain as strong as ever.

(*Maulvi Sayyid Murtuza Saheb Bahadur* rose in his seat to speak on the motion.)

**Mr. President:** Honourable Members have had their two hours. If the Honourable Member will finish in five minutes I will allow him.

**Maulvi Sayyid Murtuza Saheb Bahadur:** Sir, but for the astonishing statement made by my Honourable friend, Pandit Malaviya, and also the disappointing reply given by the Foreign Secretary, I would not have spoken

[Maulvi Sayyid Murtuza Saheb Bahadur.]

at all; I would have been satisfied with recording my silent vote on this motion.

Sir, in the last portion of his statement, Panditji has said that he does not want his party to participate in this discussion or rather that his party should not commit itself in any way on this question. May I ask him, through you, Sir, what about the commitment already made by the then leader of the party, I mean our much-lamented friend Lala Lajpat Rai? Is not the party and the leader of that party bound by the sympathetic attitude shown by Lala Lajpat Rai and the decision which was arrived at by him on behalf of his party on the question? Sir, when I moved the Resolution regarding the introduction of reforms in the North-West Frontier Province, my Honourable friend, the Panditji, opposed it tooth and nail. Afterwards he realised that he was in the wrong. Then his attitude was changed. Now I do not see any reason as to why he has adopted this oscillating policy. At any rate, Sir, I must tell the Government that the people of the North-West Frontier Province rely mostly, as every Mussalman ought to, on God, and thereafter they rely on their own strength. They do not care even for the support of the Mussalmans of other parts of India, much less for that of other communities. They will win their cause sooner or later. If Government proceed at this rate, they will win the day sooner than later.

As for the disappointing reply given by the Foreign Secretary, I have to invite his attention to the fact that the question of area arises here, when poor and helpless Mussalmans are concerned. So far as Coorg is concerned, which is probably one-fifth of the size of the North-West Frontier Province, it has got its own Legislative Council, because that province consists mainly of European planters. Is this the justice which the Government pride themselves on? How long can they go on like this? As acknowledged by the Government, the people of the Frontier Province are the gatekeepers of India. Do not the Government realise, if the Pathans, who are the gatekeepers of India, feel dissatisfied what the outcome thereof will be?

Now, Sir, the Honourable the Foreign Secretary said that this question would be considered very sympathetically. We know what kind of sympathy our poor North-West Frontier people can expect at the hands of Government. There is a saying in Persian, Sir, which says:

*Chamcha Zadee Chamcha Zadee, Halwa Ko?*

It means this, "you have applied your spoon so often, but where is the *halwa* (sweet)?" Similarly, Sir, Government cannot go on deluding us for ever, much less the people of the North-West Frontier Province, by holding out false hopes. They should realise the real situation and do the needful as quickly as they can. They should not any longer delay the giving of reforms to the North-West Frontier Province. With these words, Sir, I support the motion.

**Mr. President:** The question is:

"That the Demand under the head 'North-West Frontier Province' be reduced by Rs. 100."

The motion was adopted.

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

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

**Mr. President:** The question is:

“That a reduced sum not exceeding Rs. 1,06,34,900 be granted to the Governor General in Council to defray the charges, which will come in course of payment during the year ending the 31st day of March, 1931, in respect of the ‘North-West Frontier Province’.”

The motion was adopted.

DEMAND NO. 16.—CUSTOMS.

**The Honourable Sir George Schuster:** Sir, I beg to move:

“That a sum not exceeding Rs. 77,57,000 be granted to the Governor General in Council to defray the charges, which will come in course of payment, during the year ending the 31st day of March, 1931, in respect of ‘Customs’.”

*Cutting down a Lump Sum of 5 per cent to balance the Budget.*

**Sir Hari Singh Gour:** I beg to move:

“That the Demand under the head ‘Customs’ be reduced by five per cent.”

Honourable Members have already been told by the Honourable Mr. Neogy that similar notices of amendments of 5 per cent. cuts have been given under each grant. Some of these grants have already been disposed of. The remaining grants will remain, and I ask the House to cut down all the other grants one by one by 5 per cent. as they come up . . .

**Mr. Lalchand Navalrai:** Also my cut of 70 lakhs under Income-tax.

**Sir Hari Singh Gour:** . . . so as to balance the Budget. The reasons why I ask the House to concur in this cut are these. The whole of the Budget has not been placed before the House. The bulk of it comprises military expenditure. Sir George Schuster told us yesterday that the larger question of policy cannot now be considered pending the report of the Royal Statutory Commission, and as further reforms are on the horizon, it would not be right for the Government of India now to formulate a new policy regarding the curtailment of military expenditure. He said more or less the same thing in connection with civil administration. Those, I submit, are the very reasons why the Government of India should not embark on further taxation. The policy which will be laid down hereafter will, we hope, necessarily lead to retrenchment, and the deficit that we find in the Budget, as Honourable Members are aware, is not a recurring deficit. The Finance Member has pointed out that some of the items of the deficit are due to world causes. Now these are adventitious and accidental causes which are not likely to repeat themselves year after year, the causes being therefore more or less temporary and a passing phase of the current year's Budget. I do not see why the House should saddle the country with additional taxation as a permanent measure. Honourable Members are further aware

[Sir Hari Singh Gour.]

that a block vote of 55 crores of rupees has been given to the Army. The Honourable the Finance Member has informed the House that the military are at the present moment seriously engaged in retrenching their expenditure, but when that retrenchment is made, I submit that it should be made available to the relief of the taxpayers, and that it should go to the balancing of the Budget. The condition with which we are confronted in the Budget this year is not unlike the conditions prevailing in the first three years of the first Assembly. There too, we were confronted with annually recurring deficits, and what we found was that it was impossible for us to say whether item "A" had been rightly incurred or not, because the whole Budget was not before us. Upon its own merits, we would have allowed it. The Honourable Pandit Madan Mohan Malaviya said "Yes", when he was asked whether a certain sum of money should not be spent on broadcasting, provided the country was not burdened with additional taxation. Exactly in the same manner, if the whole Budget is placed before us, we shall be in a position to revise it and say as to where the retrenchment should come from and how the various items should be distributed under the various heads. That is not before us. Only small items under different heads have been placed before us. Consequently, the only thing we can do is to cut down a lump sum of 5 per cent. under each Demand and ask the Government to revise their Budget and see that it balances itself, and no additional burden is placed upon the country. They did it in 1922. I submit this is an exceptional case. As the Finance Member himself pointed out, we are on the threshold of constitutional changes, and before these changes take place, I think the country should not be saddled with additional taxation. I therefore move my motion.

**The Honourable Sir George Schuster:** Sir, the Honourable the Mover of this motion has dealt very generally with the question of economy. I feel it is for me to deal specifically with the motion which is before the House; for what we are concerned with is the question as to whether it is practically possible to carry out the policy which this kind of motion advocates. I am glad to have the opportunity of dealing with particular Departments in this way, because it enables me to explain to the House exactly what the position is in each case, and I think they will agree with me that this kind of indiscriminate cutting down of expenditure is neither practicable nor expedient. I have already informed this House that I have circulated to Members of the Standing Finance Committee memoranda on the growth of expenditure in all Departments since 1924-25, and I would like to take a short time this afternoon in dealing with the special case of Customs which is the Demand which the House now has to consider.

Taking the actual figures, which appear in the budget papers, we find that in 1924-25 the actual expenditure on account of the Customs Department was Rs. 75,67,154 and the budget estimates for 1929-80 were Rs. 98,05,000. I am proposing to keep to the figures which I have given in these memoranda, though I shall make some reference to budget estimates for the current year. Now, it would appear from that that there has been an increase in expenditure of just under 22½ lakhs, and that is the sort of figure which might attract attention. But when we come to examine the figures in greater detail, we find just those special reasons for increases which I have thought it very necessary for Members of this Assembly to understand before they consider these questions of cutting down expenditure.

Now, there are two very large items in that increase, which do not represent increases in normal expenditure at all. Under the heading of "Compensation" we find that the expenditure has gone up from Rs. 5,89,000 in 1924-25 to Rs. 17,44,000 in the budget estimates for 1929-30, that is, an increase of Rs. 11,54,000. But that increase is due entirely to payments made to the Travancore and Cochin Darbars under the Inter-portal Trade Convention. This depends on the actual revenue at the port of Cochin and cannot be controlled. That, therefore, represents no increase in real expenditure at all. Then, again, we come to another large increase under the heading "Grants-in-Aid, Contributions, etc.," where the actuals in 1924-25 were Rs. 75,500 and the figure for the budget estimates for 1929-30 was Rs. 3,46,760. These represent payments made out of receipts from overtime fees, etc. The Government of India do not make any profits out of overtime fees, and the expenditure has been accumulated year after year. The whole receipts are pooled together for the purpose of payments to charities, etc. The increase therefore is due to the distribution of an accumulated sum under this head. Therefore, an apparent increase in the expenditure of Rs. 2,73,260 during the six years is not a real increase at all. Now, these two special items together come to Rs. 14,28,155. That brings down the real increase to Rs. 8,09,691. Out of that sum I find that the increase in "Establishment", which refers to the subordinate classes, comes to Rs. 6,52,802 leaving a balance for all other items of Rs. 1,56,189. And out of the large increase in establishment, improvements in conditions of pay and normal increments account for Rs. 2,63,727. That particular increase is one to which so far as I can judge from all that has fallen from the Honourable Members opposite in the course of these debates, they certainly would not object, as it represents improvements in conditions for the subordinate staff. It leaves a very small increase for other items.

Now, let us see what the picture would be if we made this 5 per cent. cut. As I said, the real total increase in expenditure has been just over 8 lakhs, and the 5 per cent. cut would be about 5 lakhs. We should be left therefore with a margin of increase of 3 lakhs, of which more than 2½ lakhs would be spent on improvements of conditions in pay of the subordinate staff, leaving a margin of less than half a lakh to cover the growth of work in six years. I would like to give this House some figures showing what the growth of work has been. From 1923-24 the net revenue has risen from Rs. 39.69 crores to Rs. 49.28 crores, and, quite apart from the increase of revenue, the volume of work has also very considerably grown. The number of dutiable bills of entry has risen during this period from 3,32,913 in 1923-24 to 7,24,927 in 1928-29. That obviously means an enormous increase in work. Now, this very striking increase in the number of bills of entry is due to the fact that the trade is gradually passing from the hands of large wholesale importers to those of smaller importers who deal directly with other countries. The volume of work in the Customs Houses depends primarily on the number of dutiable bills of entry, and only to a much lesser extent on the amount of revenue. But, as I have informed the House, revenue has also grown by 25 per cent., and the number of bills of entry has more than doubled itself. I think from those figures, it is quite clear that some increase of staff was absolutely necessary, and yet the total increase in expenditure, apart from improvements in conditions of service for the subordinate staff during the years that I have taken, was under 5½ lakhs. I would also mention

[Sir George Schuster.]

that, in the budget estimates for this year, we have actually shown a reduction of Rs. 1,68,000 from the budget estimates of 1929-30. That means that the margin of increase, if I had worked all this year's budget figures, would have been far smaller than what I have given to the House. Now, Sir, I think that this is a very interesting example, and I feel sure that these reports which I have prepared would repay the careful study of all Members of this House who are interested in this question of public economy. They will find no doubt certain items or certain Departments in which the expenditure has grown in a way which makes out a *prima facie* case for inquiry, but what I do say is that the matter must be studied in detail, and that it is useless for the House to proceed in this wholesale way of asking for a 5 per cent. cut all round. As a matter of fact, the 5 per cent. cut on the Customs Department, as it stands at present, would be quite impossible without both doing grave injustice to a large number of employees and also gravely endangering the efficient conduct of public business. Apart from this, I am at a loss to understand what is the policy underlying my Honourable friend's motion. He has stated his case in this way. He says that, according to my own statements, the difficulties in which we find ourselves this year, or rather the need for increased revenue with which we find ourselves faced this year, is due to temporary causes. Well, if it is due to temporary causes—and that, of course, I do not admit because I think I have made out a very good case for some permanent increase in our revenue—but if it were due to temporary causes, would this be the proper way of dealing with it, to say that this year we should cut down the whole of our staff by 5 per cent. and that then, in due course, if revenue increases as my Honourable friend expects it will next year, we should engage all these people again? I ask Honourable Members to consider whether this is a business-like way of approaching what I admit is a very difficult situation. I have already made it clear that I intend to work steadily, continuously and with determination at the search for waste or unnecessary expenditure in every branch of the public service. But I maintain that that work must be done with intelligence and with discrimination and that action of the kind foreshadowed by this motion will gravely endanger the efficiency of the public service. (Applause.)

**Sir Hugh Cocks:** Sir, I entirely agree that the method proposed by my Honourable friend behind me is not a business-like way of dealing with retrenchment, and I think the Honourable Member has shown very clearly from the figures that a 5 per cent. reduction under Customs is entirely unpracticable. It would result, if it were persisted in, in the staff being discharged and in the goods being held up for long periods, I imagine, at the Customs House. The enormous increase in the bills of entry in the last five or six years shows to what extent the work of the Customs House has gone up. It also, I think, shows that, in view of the fact that the increase in expenditure has been comparatively small, there may have been considerable room for retrenchment five or six years ago. It seems to me that, if this large volume of work could be handled by the Customs officials at almost the same cost as before, there must have been room for cutting the staff five or six years ago. But I am perfectly satisfied from the figures that have been given, that it is not practicable to cut five per cent. from the Customs vote, and I do not think the House will be wise to adopt this procedure.

**Mr. President:** The question is:

“That the Demand under the head ‘Customs’ be reduced by five per cent.”

The Assembly divided:

AYES—32.

Abdoola Haroon, Haji.  
Abdul Matin Chaudhury, Maulvi.  
Aney, Mr. M. S.  
Bhargava, Pandit, Thakur Das.  
Das, Mr. B.  
Das, Pandit Nilakantha.  
Dutt, Mr. Amar Nath.  
Dutta, Rai Bahadur S. C.  
Gour, Sir Hari Singh.  
Haji, Mr. Sarabhai Nemchand.  
Kelkar, Mr. N. C.  
Kunzru, Pandit Hirday Nath.  
Lal, Mr. Hari Prashad.  
Lalchand Navalrai, Mr.  
Malaviya, Pandit Madan Mohan.  
Moonje, Dr. B. S.  
Mukhtar Singh, Mr.

Munshi, Mr. Jehangir K.  
Murtuza Saheb Bahadur, Maulvi  
Sayyid.  
Neogy, Mr. K. C.  
Patil, Rao Bahadur B. L.  
Rajan Bakhs: Shah, Khan Bahadur  
Makhdum Syed.  
Rang Behari Lal, Lala.  
Reddi, Mr. T. N. Ramakrishna.  
Shafee Daoodi, Maulvi Mohammad.  
Shah Nawaz, Mian Mohammad.  
Siddiqi, Mr. Abdul Qadir.  
Sinha, Mr. Rajivaranjan Prasad.  
Sitaramaraju, Mr. B.  
Suhrawardy, Dr. A.  
Talatuley, Mr. S. D.  
Zulfiqar Ali Khan, Sir.

NOES—47.

Abdul Aziz, Khan Bahadur Mian.  
Abdul Qaiyum, Nawab Sir Sahibzada.  
Alexander, Mr. W.  
Anwar-ul-Azim, Mr.  
Banarji, Mr. Rajnarayan.  
Baum, Mr. E. F.  
Coatman, Mr. J.  
Cocke, Sir Hugh.  
Cosgrave, Mr. W. A.  
Crawford, Colonel J. D.  
Crerar, The Honourable Sir James.  
Crosthwaite, Mr. H. S.  
Dalal, Dr. R. D.  
Ferrers, Mr. V. M.  
French, Mr. J. C.  
Ghazanfar Ali Khan, Raja.  
Gidney, Lieut.-Colonel H. A. J.  
Gwynne, Mr. C. W.  
Hamilton, Mr. K. L. B.  
Heathcote, Mr. L. V.  
Hira Singh Brar, Sardar Bahadur,  
Honorary Captain.  
Howell, Mr. E. B.  
Hyder, Dr. L. K.  
Jawahar Singh, Sardar Bahadur  
Sardar.

Lamb, Mr. W. S.  
Lindsay, Sir Darcy.  
Mitra, The Honourable Sir Bhupendra  
Nath.  
Mitter, The Honourable Sir Brojendra.  
Monteath, Mr. J.  
Mukherjee, Rai Bahadur S. C.  
Noyce, Sir Frank.  
Pai, Mr. A. Upendra.  
Parsons, Mr. A. A. L.  
Rainy, The Honourable Sir George.  
Rajah, Rao Bahadur M. O.  
Rau, Mr. H. Shankar.  
Roy, Mr. K. C.  
Sahi, Mr. Ram Prashad Narayan.  
Sams, Mr. H. A.  
Sarfaraz Hussain Khan, Khan  
Bahadur.  
Schuster, The Honourable Sir George.  
Scott, Mr. J. Ramsay.  
Slater, Mr. S. H.  
Tin Tüt, Mr.  
Yakub, Maulvi Muhammad.  
Yamin Khan, Mr. Muhammad.  
Young, Mr. G. M.

The motion was negatived.

*Inadequate representation of Muslims in the Customs Service.*

**Mr. Anwar-ul-Azim:** Sir I beg to move that the Demand under the head ‘Customs’ be reduced by Rs. 100, the reason being the inadequate and ineffective representation of the Muslims in the Customs Service generally, more especially amongst the ranks of Preventive Officers, Appraisers and clerks. It will be within your recollection, Sir, that motions of this kind have got two other precedents in this House.

[Mr. Anwar-ul-Asim.]

Once it was debated on the 9th March, 1926, and again on the 12th March, 1928. On the first occasion it was moved by Mr. Ahmad Ali Khan, who represented Assam here then, and that was withdrawn with the leave of the House on a guarantee being given on behalf of Government by Sir Basil Blackett and the representative of the Board of Central Revenue, Mr. Lloyd, the guarantee being that they would not overlook the Muslim view point in that connection. Two years after, on the 12th March, it was again debated on the floor of this House, and on that occasion too, the Government spokesman was the late Finance Member, and some of the reasons that he put forward then for the consideration of this House were, that people belonging to our community came rather late into the field, and as such their condition was bad, and secondly, he made a point of the fact that I did not furnish him with any figures. You know, Sir, how difficult it is for Back Benchers like ourselves to get these figures and I do not think Front Benchers too do any better. I addressed almost all Departments of Government here in Delhi for the purpose of obtaining figures and,—I imagine it must be due to something palpably wrong inside,—they made a hundred and one excuses and did not give me the figures. If those figures were available to me, I am sure this motion would have been absolutely unnecessary. But as a result of great trouble, I have gathered a few figures only with regard to Bengal. On a reference to the Bengal Civil List of 30th January, 1930, you will find that, in the superior classes of the Calcutta Customs, the table runs thus. There are 13 Inspectors, among whom there is no Mussalman; there are 20 Superintendents, of whom only one is a Mussalman, and that post carries a salary of Rs. 500—575; there are 50 Appraisers, and there our share is about 3. I cannot give, at this stage, as I have said, the figures among the ranks of clerks, but though, in the province of Bengal, we form about 55 per cent. of the total population, our representation does not come even to 5 per cent.

On the first debate which was initiated by Mr. Ahmad Ali Khan, the whole of the time was spent between Mr. Lloyd on the one side and our esteemed friend, Mr. Kabeeruddin Ahmed, on the other, and the House could not come to any decision; but on an undertaking being given by Sir Basil Blackett, on behalf of Government, that motion was withdrawn. On the second occasion the motion was pressed to a division, and of course Government accepted the decision of the House, and it is a story of two years ago. If Government have not got any cogent reply and any sufficient reason for not taking this thing seriously, I do not know whom we shall look to. It will be within your recollection, Sir, that on the 10th March, 1923, a Resolution was also adopted by this Assembly to the effect that no province, or for the matter of that no class of people, should have any preponderance at least in those services which are within the control of the Central Government—and of course 1923 is gone and it is now 1930. But what do we find now, and specially in those places which are really of any worth? There is undoubtedly not only a preponderance but a super-preponderance, and with what justification? I should very much like to know really whether it is the wish of Government to give something a bad name and hang it at the same time. Perhaps the Honourable Member in charge will come out with this plea, that on the 5th February, 1926, some directions were given to the various Departments of the Government of India for their guidance in the matter of recruitment; and he will perhaps also refer me to an old list compiled some years ago, just to show that



perhaps Mussalman representation has gone up by '001 per cent. If the Government of India are responsible to people of all classes, to all people, irrespective of caste, creed or sex, to dispense justice and to uphold that justice with even hand, then may I not ask them, Sir, how is it that this deplorable state of affairs is evident by their own compilations? It has not been possible for me to get any figures, Sir, either with regard to Bombay or Madras, where the number of Mussalmans is small. They are beyond my reach.

Last of all, there is one matter about which I can speak with some authority, that is with regard to the representation of my people in the Chittagong Customs. In the seaport town from where I come, you have got a cadre of about 11 or 17 Preventive Officers. There the number of Mussalmans is about 82 per cent. of the total population. It cannot be said that the people are backward there, for it will be apparent from the facts that I stated that, out of a total number of 300 members of the Bar—no less than 150 are Mussalmans. That is an indication that really that part of the country is not backward, and if the local authorities, either at Calcutta or at Chittagong, care for the appointment of Mussalmans in the cadre of Preventive Officers, they could get very good men. But I do not know what policy is standing in the way of our being taken even in that locality. For, after everything is said and done, you should recognise the purpose for which I am moving my motion. If Government really feel that they have been doing scant justice to us and our people, I think they should recognise that the time has come when they must look around. One of my friends a little while ago, was suggesting to me why I should have moved this motion as we had a very full-dress debate the other day and we had all the illuminating replies from Mr. Hayman during the course of the debate on Railways. My answer is this, Sir. Unless we are definitely told by the Government that they are willing—not to speak of showing any favour—to do bare justice to our people, it will be very hard really for even a man like myself to keep quiet who on important occasions has helped Government, with the hope that they would not forsake the Muslims, when the next instalment of reform was introduced in this country. Government must know our demands are right, and they should not any longer play into the hands of the avowed enemies of Islam, who are now bidding for a goal whose consequences one can't see. With these few words, I commend my motion for the consideration of this House.

**The Honourable Sir George Schuster:** Sir, I think the general policy of the Government of India in this matter of distribution of vacancies, or reservation of vacancies, for minority communities is well known. The policy is to reserve one-third of vacancies for the purpose of regulating recruitment, so as to prevent any one community from having an undue preponderance in the service. The Muslim community, though the largest minority community, is not of course the only one that has to be considered in applying this rule. The effects of this policy must show themselves gradually, as the policy can only be applied to recruitment for vacancies as they occur. It would not have been either reasonable or possible to attempt to accelerate the rectification of existing inequalities by confining recruitment after the present policy was adopted to members of any community that had previously been inadequately represented. I think the justice of that must be acknowledged. I have certain statistics, showing the percentage of Muhammadans in the various grades of Customs Officers under the Imperial Customs Services, and showing how those percentages

[Sir George Schuster.]

have altered between the 1st of January, 1925 and the 1st of January, 1930. The figures are as follows:

	1925.	1930.
Appraisers . . . . .	1 per cent.	6 per cent.
Examining Officers . . . . .	9 "	9 "

**Maulvi Muhammad Yakub:** Very great improvement!

**The Honourable Sir George Schuster:** I am not claiming anything. I am simply giving you facts. I do not say that it is a great improvement.

	1925.	1930.
Preventive Officers (Superior Grade) . . . . .	4 per cent.	7 per cent.
Preventive Officers (Lower Grade) . . . . .	15 "	15 "
Clerks . . . . .	9 "	8 "

(Laughter.)

It must be admitted—and I frankly admit it—that these figures are not, from the point of view of the Mover of this motion, entirely satisfactory (Hear, hear); but I would say this, on behalf of the Central Board of Revenue, which is responsible for this Department, that they constantly study the returns, and wherever these suggest that the general instructions of the Government are not being followed in the letter and in spirit, they draw the special attention of the Heads of Departments to the matter.

**Maulvi Muhammad Yakub:** With what result?

**The Honourable Sir George Schuster:** At the same time, it must be remembered that these people are recruited locally, and that in ports in Burma and Madras, it is inevitable that Muhammadans should not be given preference to the same extent as they might expect in other parts of India.

**Maulvi Muhammad Yakub:** What about the North-West Frontier Province where they are treated as a minority?

**The Honourable Sir George Schuster:** There are no Customs Officers there.

**Maulvi Muhammad Yakub:** Government service, I mean.

**The Honourable Sir George Schuster:** Moreover, even in a province like Sind, there is considerable difficulty, so I am informed, in securing an adequate number of candidates from this particular community, who satisfy the minimum educational requirements.

**Haji Abdoola Haroon** (Sind: Muhammadan Rural): I sent some men to the Customs Collector at Karachi. There are plenty of men in Karachi qualified for these posts.

**Sir George Schuster:** I am giving my Honourable friend the results of the evidence which has been placed before me on this matter.

**Mr. Fazal Ibrahim Rahimtulla:** I think it would help the House if the Honourable Member were to tell us, during these five years about which he has given figures, how many vacancies occurred in the Departments mentioned.

**The Honourable Sir George Schuster:** I am afraid that I have not got those figures at present available, but if any Honourable Member, who is interested in this question, will let me have any particular aspects of the statistics which he wants studied and presented to this House, I shall be very pleased to get them. I will repeat though, that according to the information which I have got, there is considerable difficulty in securing an adequate number of candidates who satisfy the minimum educational requirements. If there is any evidence to the contrary, I should be very glad to have it. I am simply giving you the evidence as it has been put before me. Now, it is no part of the Government's policy to insist on a lowering of standards, provided these are not fixed unreasonably high, in order to secure candidates. The standards are not fixed unreasonably high, and that is illustrated by the fact that, of three Muslim clerks appointed in a recent period of fourteen months at the Calcutta Custom House, none was a graduate, although a large proportion of the Hindus appointed in the same period were graduates. This Custom House has also suffered seriously from the competition for well qualified Muslims which the present policy has created. The best of the Muslim clerks secured tend to move on to better paid occupations elsewhere. I think, Sir, that that represents some of the information which I have before me. If there are any statements that I have made which are not accepted by any Honourable Member here, I repeat that I shall be only too glad to receive the contrary evidence. It is our desire to carry out the policy which has been laid down by the Government, and if there is any suggestion that that policy is not being carried out and I can be convinced that it is not being carried out, I shall be the first to take the necessary action.

**Nawab Sir Sahibzada Abdul Qaiyum:** Sir, I should like to say just a few words in order to get some definite information on the points that still puzzle and confuse me.

**Mr. President:** In that case the Honourable Member should have preceded the Honourable the Finance Member.

**Nawab Sir Sahibzada Abdul Qaiyum:** Sir, what is not clear to me, and perhaps to many others, is as to how these safeguards for the rights of the minority communities are put in practice. It is often said that these reservations are for all the minority communities. We know that the announcement of the Government is to that effect. But how are these posts reserved for the minority communities distributed over these communities and what are their respective shares? What I particularly want to find out is whether certain minority communities included in the majority community get a share of these posts reserved for the minorities. For instance, take the case of my Sikh brethren. In the ordinary division of communities, the Sikhs form part of the major community. Even the Burmans come under the category of Hindus. Various other small communities also form part of the majority community. Has any distinction been made in this respect and do these small communities get a share in the posts reserved for the minority community? Then are these posts distributed according to the numerical strength of these minority communities, or at the free will of the distributor of those posts? That is my first point. The second point is whether, in the case of first recruitment a larger share is given to these people to make up the deficiency of the minority communities in due course in the higher grades, that is whether in making the first appointments a higher percentage of appointments is given to a community which is not fully represented in that

[Nawab Sir Sahibzada Abdul Qaiyum.]

particular service, or whether these appointments are given according to the ordinary rules of one-third minorities and two-thirds majority. For unless something is reserved in the first recruitment for these people and a larger number of people are recruited in order to make up the deficiency later on, no improvement can be expected. Another difficulty, Sir, is that in provinces where a sufficient number of suitable candidates is not forthcoming, whether it is the local people who must produce the proper candidates for those appointments, or whether you treat the case as one coming under the control of the Central Government and disregarding the shortness of the local supply, you could import men of that particular standard available from other provinces. If you are going to secure the position of Moslems in this respect, I believe Moslems will have no objection to the importation of Moslems from the Punjab into Sind; for example, if Sind cannot provide the proper number of recruits. But I am one of those, Sir, who do not believe that suitable Moslems, fully qualified Moslems, are not available for your services in any part of India. I do not believe that. On the other hand, my impression is, Sir, that they do not get the necessary facilities for knowing about the vacancies, for applying for them, and are not given proper encouragement by those who are controlling your Departments. Do I understand that, in the whole of Bengal, only three people were out for employment and that none of them was a graduate?

**Mr. Anwar-ul-Azim:** Moslem graduates in Bengal are as plenty as black berries.

**Nawab Sir Sahibzada Abdul Qaiyum:** I thought that they were as many as locusts, and that any number with higher qualifications than the ordinary B. A. was available there. But they cannot have access to the authorities who select these candidates. I, living though I do on the extreme corner of India, can undertake this honorary job of supplying recruits to every Department throughout India. I shall pay the postage, I shall meet all expenses of sending candidates down to Tuticorin from Peshawar, if necessary, provided one has a chance of securing an appointment there. I can take up that work, Sir, and I am also prepared to supply candidates with B. A. degrees for ordinary clerk's posts, if you fix the minimum qualification for a thirty rupees post as a graduate or even higher. Sir, nothing of this sort will convince people of the paucity of Muslim candidates in the year 1980. Nothing will convince the Muslims that, in the present state of unemployment in the country, and with so much advance in education and with hundreds and thousands of Muslims graduating every year and in the hard times they are passing through and with the difficulties of earning their living, enough Muslims cannot be found or will not come forward to take up even the smallest job—not to speak of the good jobs just mentioned by the Honourable the Finance Member. These, Sir, are the observations I have to make.

**Maulvi Muhammad Yakub:** Sir, the question of the paucity of Mussalman in the different branches of Government service has become something more than a hardy annual of the budget debates in the Assembly; and not only in the budget debates, but on other occasions too questions are put and information is asked for showing the number of Muslims in the different Departments of the Government services; and every effort is made by the Muslims to impress upon the Government the injustice which is done to them in securing their proper share in Government services. But, Sir, what is the result? The result is the statement which the Honourable

the Finance Member has just placed before the House. Now, Sir, we have only got to question our friends as to what is the reason for this attitude of the Government. Why is it that our entreaties, our questions and our speeches, and the statistics supplied to the House, do not help us in getting justice done to our community? The answer is plain and simple. My friend, Mr. Abdul Matin Chaudhury, enunciated the other day the character of the British nation in two words—kissing and kicking; and this phenomenon of kissing and kicking cannot be observed more vividly than in this House. The Government know that the loyalty of the Mussalmans is very cheap; Government know that they do not require anything to help them to secure their support. On all the important questions in the Assembly we know that the success of the Government depends upon your votes, the votes of the Central Muslim Party.

**Nawab Sir Sahibzada Abdul Qaiyum:** That is according to our convictions.

**Maulvi Muhammad Yakub:** So I say; and it is on account of this conviction of yours that your community is being convicted; and as long as this conviction of yours remains, as long as this mentality of yours continues, as long as the Muslims do not stand upon their own legs and as long as this phenomenon of kissing and kicking goes on, I tell you that these questions and Resolutions and figures will not help you at all and your community will go down from bad to worse every day.

**Mr. Lalchand Navalrai:** Promise not to help the Government then.

**Mr. President:** The question is:

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

**Mr. Anwar-ul-Azim:** Sir, I think my friends on this side . . . .

**Maulvi Muhammad Yakub:** He is satisfied, Sir, with the figures supplied by the Finance Member.

**Mr. President:** Does the Honourable Member wish to withdraw his motion?

**Mr. Anwar-ul-Azim:** No, Sir. I want to test my Hindu brethren on this subject.

**Mr. President:** The question is:

“That the Demand under the head ‘Customs’ be reduced by Ra. 100.”

The Assembly divided:

#### AYES—21.

Abdoola Haroon, Haji.  
Abdul Matin Chaudhury, Maulvi.  
Abdul Qaiyum, Nawab Sir Sahibzada.  
Abdu'lah Haji Kasim, Khan Bahadur  
Haji.  
Anwar-ul-Azim, Mr.  
Cocke, Sir Hugh.  
Crawford, Colonel J. D.  
Ghazanfar Ali Khan, Raja.  
Gidney, Lieut.-Colonel H. A. J.  
Moore, Mr. Arthur.  
Patil, Rao Bahadur B. L.

Rahimtulla, Mr. Fasal Ibrahim.  
Rajah, Rao Bahadur M. C.  
Rajan Bakhsh Shah, Khan Bahadur  
Makhdum Syed.  
Reddi, Mr. T. N. Ramakrishna.  
Shafee Daoodi, Maulvi Mohammad.  
Shah Nawaz, Mian Mohammad.  
Suhrawardy, Dr. A.  
Yakub, Maulvi Muhammad.  
Yamin Khan, Mr. Muhammad.  
Zulfiqar Ali Khan, Sir.

## NOES—42.

Abdul Aziz, Khan Bahadur Mian.  
 Alexander, Mr. W.  
 Ayyangar, Mr. K. V. Rangaswami.  
 Banarji, Mr. Rajnarayan.  
 Baum, Mr. E. F.  
 Coatman, Mr. J.  
 Cosgrave, Mr. W. A.  
 Crerar, The Honourable Sir James.  
 Crosthwaite, Mr. H. S.  
 Dalal, Dr. R. D.  
 Das, Mr. B.  
 Dutt, Mr. Amar Nath.  
 Dutta, Rai Bahadur S. C.  
 Ferrers, Mr. V. M.  
 French, Mr. J. O.  
 Gwynne, Mr. O. W.  
 Hamilton, Mr. K. L. B.  
 Heathcote, Mr. L. V.  
 Hira Singh Brar, Sardar Bahadur,  
 Honorary Captain.  
 Howell, Mr. E. B.  
 Jawahar Singh, Sardar Bahadur  
 Sardar.

Lamb, Mr. W. S.  
 Lindsay, Sir Darcy.  
 Mitra, The Honourable Sir Bhupendra  
 Nath.  
 Mitter, The Honourable Sir Brojendra.  
 Monteath, Mr. J.  
 Mukherjee, Rai Bahadur S. O.  
 Mukhtar Singh, Mr.  
 Noyce, Sir Frank.  
 Pai, Mr. A. Upendra.  
 Parsons, Mr. A. A. L.  
 Rainy, The Honourable Sir George.  
 Rau, Mr. H. Shankar.  
 Sahi, Mr. Ram Prashad Narayan.  
 Sams, Mr. H. A.  
 Schuster, The Honourable Sir George.  
 Scott, Mr. J. Ramsay.  
 Singh, Mr. Gaya Prasad.  
 Slater, Mr. S. H.  
 Taituley, Mr. S. D.  
 Tin Tut, Mr.  
 Young, Mr. G. M.

The motion was negatived.

**Mr. B. Das** (Orissa Division : Non-Muhammadan): I do not move, Sir.\*

*Importation of Adulterated Articles for Human Consumption.*

**Khan Bahadur Sarfaraz Hussain Khan:** Sir, the motion that stands in my name reads:

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

I do not think, Sir, I need dwell on this question, because everybody knows very well that nothing is more injurious to the human body than adulterated articles. My chief object in making this motion is to draw attention to the increasing evil of adulterating ghee with all sorts of articles. Perhaps rich men may not feel the difficulty so much in this matter, but in the mofussil towns the poor people, about 60 per cent. of the population, suffer from bodily ailments chiefly on account of this evil of adulteration. This is not a communal question. It is a question based purely and solely on humanitarian considerations. I do not think, Sir, I need dwell on this subject at great length, because as I have already said about 60 to 75 per cent. of the people in the mofussil towns chiefly suffer on account of adulteration . . . . .

**The Honourable Sir George Rainy:** If the Honourable Member could speak a little louder I should be better able to hear him. I find great difficulty in hearing him.

**Mr. M. S. Aney:** He is 80 years old. (*Some Honourable Members:* “Please speak a little louder.”)

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\*“That the Demand under the head ‘Customs’ be reduced by Rs. 100. (Hardship to hand-loom industry owing to cotton yarn tariff.)”

**Khan Bahadur Sarfaraz Hussain Khan:** Sir, I have not much to say. This is a very simple matter, because everybody knows that the adulteration of ghee predisposes the body to consumption. This is not a communal question; this is purely a humanitarian question. Anybody who has got sympathy for human suffering will support me. I therefore hope that Government will put some check on the importation of adulterated articles for human consumption, and that is the reason why I am making this motion.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): I must confess, Sir, that I found considerable difficulty in hearing what the Honourable the Mover of this cut was saying, and if I do not accurately represent his argument I trust to be excused. I gathered that he wished to move this cut in order to draw attention to the adulteration of ghee with vegetable ghee, and to suggest that the Government should take steps to check the importation of vegetable ghee either by absolute prohibition or I suppose, by imposing a very high duty. What I should like to say about that, Sir, is that it would not be right for Government to take action of that nature unless they were satisfied that the vegetable ghee was in itself a harmful substance dangerous to human health. Now, we have consulted the Local Governments on the subject . . . . .

**Mr. Gaya Prasad Singh:** Is that the opinion of doctors that vegetable ghee is not injurious to human health? I brought that question up before in this House.

**The Honourable Sir George Rainy:** We have obtained the opinions of all Local Governments, and with one exception, they have said that, although the vegetable ghee is deficient in certain vitamins, it is not injurious to health. Also there is this further point to be considered, that if we were to prohibit the importation of vegetable ghee, it is not as if the ghee thereafter would be sold pure. On the contrary, I am afraid the adulteration would be as great as ever, and even more harmful adulterants would be used. But there is evidence that the adulteration has been going on for a long time. In Burma for instance now-a-days it is said that there is an increasing use of a mineral oil, known as white oil, for that purpose, and if you read books like "Watt's Economic Products", you will find that, 40 or 50 years ago, adulteration with all sorts of substances, some of them highly objectionable, was being freely resorted to. At the same time, the Government of India quite recognise that it is desirable that, when a purchaser wishes to buy pure ghee, he should have some security that he will get it; he should not be exposed to the danger of having to buy an adulterated product when he is paying what he believes to be the price of a pure product. But the Government of India also feel that the way to attain that result must, under the present constitution, be by provincial legislation, providing for strict control over the sale of foodstuffs. A Bill of that kind has recently been passed in the Punjab, called the Pure Food Act, which contains pretty stringent provisions about not selling real ghee and vegetable ghee in the same shop and other provisions of a like character. In that way I have no doubt it will be possible to bring under control any adulteration that is now going on. But if you go beyond that and say that vegetable ghee must not be sold at all, that is a length to which the Government of India are not prepared to go.

Another suggestion made was that a law might be passed, requiring that vegetable ghee, at the time of importation, should be coloured, so

[Sir George Rainy.]

that it might be easily distinguishable. That again is a matter on which we have obtained the opinions of Local Governments, but I do not think it has commended itself to many of them. There is indeed a general consensus of opinion against it. The colouring substances sometimes used for such purposes may themselves be harmful, and I think there is a growing opinion amongst experts that the use of colouring substances in order to distinguish various kinds of food is not desirable. I do not think that that is an expedient which would lead to any good result, and as I have said I think we must look to the passing of stringent provincial legislation, and its enforcement, in order to secure what the consumer is entitled to, namely, that, when he wishes to get pure ghee, he should get pure ghee and should not be put off with something else.

**Mr. M. S. Aney:** The Honourable Member for Commerce has told us that one of the difficulties he feels in accepting this motion is that there is not sufficiently strong opinion with him to hold that this adulterated ghee is injurious to human health, and for that purpose he has relied upon the opinions of Local Governments. I think the Local Governments are also such bodies as the Government of India is composed of. They are not a body of experts who can really pronounce any opinion upon the chemical ingredients of adulterated ghee and their effect upon human health. I would have been convinced had the Honourable the Commerce Member given us the benefit of any opinions he has collected from competent doctors who are in a position to pronounce opinions upon subjects of this character. If I remember aright, I believe some time ago my Honourable friend, Mr. Gaya Prasad Singh, put certain questions pointedly drawing the attention of the Government of India to the opinions of certain competent authorities as regards the injurious effect of adulterated ghee upon human health. At least the Government of India should have promised us to go into the question just to find out from competent men whether the complaints raised in this motion have any foundation or not. Instead of that, the question has been disposed of by him in a slipshod manner.

The other remedy which has been suggested as practicable by the Honourable the Commerce Member stands in my opinion on an entirely different footing. My Honourable friend, Khan Bahadur Sarfaraz Hussain Khan, by moving this cut, wanted the Customs Department to exercise some check upon the importation of this ghee. That is purely a matter which is within the competence of the Government of India. The Government of India say, "Do not raise this question here. We do not think we can do anything at all in this matter. You had better go to the Provincial Governments and try to do something with a view to seeing that the customer is not deceived. The customer who wants pure ghee should not be deceived by the shop-keeper by passing on to him adulterated ghee and for that you can have some sort of registration." That is a remedy which the Local Governments or the local bodies might pursue if they think proper, and I know that, in certain municipalities, attempts are being made with a view to check that thing. The present motion is not for that purpose at all. We want to see whether the Government of India are willing to help us by allowing their customs officers to exercise a greater check upon the importation of this kind of thing. The Government of India have got many experts under their employ and they can



get their opinions and find out whether the adulterated ghee contains any ingredients which are deleterious to human health or not. That is the first thing that they can do, and the second thing is to ask the customs officers to exercise some check on the importation of the adulterated ghee. Ghee is one of the most important articles in the dietary of the Indians, who are mainly vegetarians. I have said so in connection with a different Resolution to which I do not want to refer now. It is one of the most nutritive articles, and it is necessary for the Government, which cares for the health of the subjects whom it wants to rule, to see that questions affecting the health of the Indians ought not to be brushed aside by the Government in this slipshod manner.

The third remedy that was suggested was that adulterated ghee should not be allowed to be imported unless it is coloured. I do not say anything upon that point. It is too much for me to understand, and I cannot say what the effect of the colouring would be on the health of the consumer. That is a matter of detail. The main thing is that Government should carefully consider whether there is any foundation for the general complaint that it has got a deleterious influence on the health of those who take that sort of ghee. The Government should satisfy themselves on that point, and if the question is raised again, they should be able to tell us definitely that they have made some endeavour, and that they have come to some conclusions. Once they come to a conclusion, their duty is very clear. I believe the Government of India are sufficiently resourceful. Particularly at the present time they have got, at the head of the Customs Department, a very competent officer who is very resourceful, and he may certainly suggest some remedies to customs officers to have a check upon the importation of this thing. With these remarks, I support the motion.

**Mr. Mukhtar Singh** (Meerut Division: Non-Muhammadian Rural): I wish to say a few words on this occasion.

**Mr. President:** I hope they will be only few.

**Mr. Mukhtar Singh:** I shall be as brief as possible. I shall not take more than a few minutes. I sent in a Bill against the adulteration of food articles, but unfortunately His Excellency the Viceroy did not allow its introduction. The question that is before us now is not the prohibition of ghee as such. May I ask the Government of India, "Are they fair, are they honest in calling it ghee and allowing the customs officers to have this article imported into this country under the name of ghee?" Is there any other country in which it can be called butter? Is it not a fact that the thing which is called vegetable ghee is nothing else but oil? Why do not the Government force these people to name it as vegetable oil or hydrogenated oil? It is only in this country, Sir, that the Government allow an article to pass under a false name.

That is my first objection against the import of this article. The use of vegetable oil in disguise for butter was once introduced in  
 4 P.M. England also. Did the Government in England allow this article to be manufactured or to be advertised as ghee or as butter? If it could not be done in England, how is it that every day people are

[Mr. Mukhtar Singh.]

selling it as ghee in this country? If I remember aright, India is selling milk at the highest rates and is selling ghee at the cheapest rates. But the Government of India, by allowing the competition of a false article with a genuine one, has tried to stifle the dairy industry. The Royal Commission on Agriculture also invited the attention of the Government of India to this fact, but they have not done anything in the matter. The Honourable the Commerce Member has said that it is for the Provincial Governments or the Municipal Boards to pass such legislation. But I know that, in Meerut, they decided to put a very high duty upon the import of this vegetable ghee. The matter was referred to the Local Government, and they said the Municipal Boards were not competent to do it because it was an article which could not be prohibited or taxed when the Government of India had allowed its import into this country. Sir, it comes to this, that when we go to the Government of India they say, "Go to the Local Governments"; and when we go to the Local Government, they say, "It is not our province". If this is the method by which articles of foreign manufacture are to be advertised in this country, and especially those articles which tell against human health, with what face can the Government of India say, "We look after the physique and health of this country"?

The question of vegetable ghee has been brought several times before the Assembly, and I do not know whether the matter has ever been referred to the medical experts. I know that, even so far, there is no test which can be applied to vegetable ghee being mixed with butter, and by which test it can be known whether it contains any vegetable ghee or not. Even research on that point has not taken place. That clearly shows that the Government of India, because of the numerous questions in this House and because of a Resolution passed in the Council of State, wanted, as a matter of course, to oblige this Assembly by referring the matter to the Provincial Governments and there is the end of the matter. Is it or is it not a fact that vegetable ghee is a competitor against the genuine ghee? Is it or is it not necessary that the dairy industry should be helped, if not by improving it, which the Government of India will never do, at least by not putting a competitor in its way? This is the least the Assembly should require, and I consider that it will not do simply to refer the matter to the Local Governments. With these words I support the motion.

**Sir Frank Noyce** (Secretary, Department of Education, Health and Lands): Sir, as Secretary of the Department which deals with questions of health, there is one point which has been raised by the Honourable Members opposite on which I am perhaps in a position to enlighten the House. The accusation has been brought against the Government that they have not consulted medical experts in regard to the value of vegetable ghee as an article of food. That, Sir, is not the case. The Government have obtained various opinions on this point from medical officers of health and from public analysts. As is so often the case with experts, their opinions are not altogether in agreement, but there is a general consensus of opinion that vegetable ghee is in no way deleterious to public health.

**Maulvi Muhammad Yakub:** And what is the opinion of the minority?

**Sir Frank Noyce:** I have not the opinions with me, but I shall be glad to go through them again and give the Honourable Member a summary of them. I can however assure the House that there is very general agreement on the point that vegetable ghee is in no way deleterious to health.

**Dr. B. S. Moonje** (Nagpur Division: Non-Muhammadan): Is it deficient in vitamins?

**Sir Frank Noyce:** I was coming to that point. It is undoubtedly deficient in certain vitamins of value, but I am not an expert on that point. My Honourable friend, Colonel Gidney, will perhaps be able to enlighten the House in regard to it. But, as I said, there is this opinion that vegetable ghee is deficient in certain vitamins which are to be obtained from milk, vegetables and some other foodstuffs. So, if people are not able to get milk and vegetables, obviously they cannot get those vitamins by using vegetable ghee. But the experiments of the experts have also shown—and it is an interesting fact—that even pure ghee may be deficient in the same vitamins, as they can be destroyed in the process of cooking. Therefore, Sir, from the point of view of public health there is no objection to the use of vegetable ghee as a substitute for the pure article.

The Honourable the Commerce Member has pointed out that this question, in the main, is one for Local Governments and that it is for them to pass Pure Food Acts on the same lines as that which is in force in the Punjab, which prevents the use of the term "ghee" for anything except the pure ghee. I am authorised by him to say that he is prepared to consider the question of legislation to supplement the enactments of Provincial Governments and to make it impossible to import the vegetable product under the name of ghee. I trust that this assurance will satisfy the House.

**Lieut.-Colonel H. A. J. Gidney** (Nominated: Anglo-Indians): Sir, I shall be very brief in my remarks. The Honourable Member (Sir Frank Noyce) has referred to me for a medical opinion. I have not specialised myself in the analytical differences between pure ghee *versus* vegetable ghee. But, speaking as a professional man, there is not the least doubt . . . . .

**Maulvi Muhammad Yakub:** What is your profession?

**Lieut.-Colonel H. A. J. Gidney:** And what is yours? Speaking as a medical man (I hope the Honourable the Deputy President understands me now), I say without any hesitation that animal ghee possesses more nutrition than vegetable ghee, and I do think that the promiscuous introduction into this country and the "palming of" of a ghee cheaper both in nutritive qualities and in price does place animal ghee in this country at a great disadvantage and a discount, and I think the suggestion put forward from the other side that there should be some very marked distinguishing or differentiating feature, say, colouring vegetable ghee or some such indicator as is demanded from chemists to distinguish poisonous from non-poisonous lotions, is a good one and will go a long way to satisfying the opposite Benches and letting the public know which was which.

**Mr. President:** The question is:

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

The Assembly divided:

AYES—37.

Abdoola Haroon, Haji.  
Abdul Matin Cnaudhury, Maulvi.  
Aney, Mr. M. S.  
Ayyangar, Mr. K. V. Rangaswami.  
Bhargava, Pandit Thakur Das.  
Birla, Mr. Ghanshyam Das.  
Das, Mr. B.  
Das, Pandit Nilakantha.  
Dutt, Mr. Amar Nath.  
Ghazanfar Ali Khan, Raja.  
Gulab Singh, Sardar.  
Haji, Mr. Sarabhai Nemchand.  
Jayakar, Mr. M. R.  
Jehangir, Sir Cowasji.  
Kelkar, Mr. N. C.  
Kunzru, Pandit Hirday Nath.  
Lalchand Navalrai, Mr.  
Malaviya, Pandit Madan Mohan.  
Moonje, Dr. B. S.  
Mukhtar Singh, Mr.

Munshi, Mr. Jehangir K.  
Neogy, Mr. K. C.  
Patil, Rao Bahadur B. L.  
Purshotamdas Thakurdas, Sir.  
Rajan Bakhsh Shah, Khan Bahadur  
Makhdum Syed.  
Rang Behari Lal, Lala.  
Rao, Mr. G. Sarvotham.  
Sarda, Rai Sahib Harbilas.  
Sarfaraz Hussain Khan, Khan-  
Bahadur.  
Shafee Daoodi, Maulvi Mohammad.  
Shah Nawaz, Mian Mohammad.  
Siddiqi, Mr. Abdul Qadir.  
Singh, Mr. Gaya Prasad.  
Sinha, Mr. Rajivaranjan Prasad.  
Talatuley, Mr. S. D.  
Yakub, Maulvi Muhammad.  
Ziauddin Ahmad, Dr.

NOES—43.

Abdul Aziz, Khan Bahadur Mian.  
Abdul Qaiyum, Nawab Sir Sahibzada.  
Anwar-ul-Azim, Mr.  
Banarji, Mr. Rajnarayan.  
Baum, Mr. E. F.  
Chatterjee, The Revd. J. C.  
Costman, Mr. J.  
Cocke, Sir Hugh.  
Cosgrave, Mr. W. A.  
Crawford, Colonel J. D.  
Crerar, The Honourable Sir James.  
Crosthwaite, Mr. H. S.  
Dalal, Dr. R. D.  
Ferrers, Mr. V. M.  
French, Mr. J. C.  
Gidney, Lieut.-Colonel H. A. J.  
Gwynne, Mr. C. W.  
Hamilton, Mr. K. L. B.  
Heathcote, Mr. L. V.  
Hira Singh, Brar, Sardar Bahadur,  
Honorary Captain.  
Howell, Mr. E. B.  
Jawahar Singh, Sardar Bahadur  
Sardar.

Lamb, Mr. W. S.  
Lindsay, Sir Darcy.  
Mitra, The Honourable Sir Bhupendra-  
Nath.  
Mitter, The Honourable Sir Brojendra.  
Monteath, Mr. J.  
Moore, Mr. Arthur.  
Mukherjee, Rai Bahadur S. O.  
Noyce, Sir Frank.  
Pai, Mr. A. Upendra.  
Parsons, Mr. A. A. L.  
Rainy, The Honourable Sir George.  
Rajah, Rao Bahadur M. C.  
Rau, Mr. H. Shankar.  
Sahi, Mr. Ram Prashad Narayan.  
Sams, Mr. H. A.  
Schuster, The Honourable Sir George.  
Scott, Mr. J. Ramsay.  
Slater, Mr. S. H.  
Tin Tut, Mr.  
Yamin Khan, Mr. Muhammad.  
Young, Mr. G. M.

The motion was negatived.

**Mr. President:** Perhaps this will be a convenient stage to adjourn if Honourable Members have no objection.

**The Honourable Sir George Schuster:** Sir, the original Demand has still to be put.

**Mr. President:** There is one motion in the name of Haji Abdoola Haroon.

**Haji Abdoola Haroon:** I do not want to move it.\*

**Mr. President:** The question is:

“That a sum not exceeding Rs. 77,57,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1931, in respect of ‘Customs’.”

The motion was adopted.

**Mr. President:** I do not think Honourable Members are anxious to sit longer. The House stands adjourned till to-morrow morning, at Eleven o’clock.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 12th March, 1930.

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\*“That the Demand under the head ‘Customs’ be reduced by Rs. 100 (Increase in sugar duty).”