

Thursday, 31st August, 1931

THE  
**COUNCIL OF STATE DEBATES**

**VOLUME II, 1933**

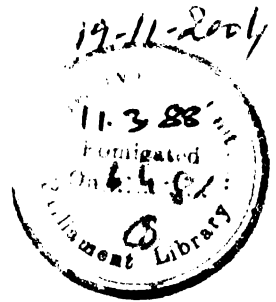
*(29th August to 16th December, 1933)*

**SIXTH SESSION**

OF THE

**THIRD COUNCIL OF STATE**

**1933**



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# COUNCIL OF STATE.

*Thursday, 31st August, 1933.*

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

## QUESTIONS AND ANSWERS.

### CAPITAL OF THE UNITED PROVINCES.

121. THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD :  
(a) Have the Government of India recently received a memorial from a large number of residents of the province of Agra against the gradual removal of Government offices from Allahabad to Lucknow by the United Provinces Government ?

(b) What steps, if any, do the Government of India propose to take in the matter ?

THE HONOURABLE MR. M. G. HALLETT : (a) The Government of India received such a memorial, which was returned, as it had not been submitted in accordance with the rules.

(b) The Government of India are not aware that there has been any recent change in the relative positions of Allahabad and Lucknow and they do not consider it necessary to take any steps in the matter.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Is the Government aware that it causes unnecessary delay and proves much expensive to keep the offices at Allahabad when the Local Government practically stay at Lucknow for the whole of the winter season in connection with meetings of the Legislative Council ?

THE HONOURABLE MR. M. G. HALLETT : I am afraid I have no personal experience of the United Provinces. I cannot say whether the statement made by the Honourable Member is correct or not.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Will the Government be pleased to advise the United Provinces Government to transfer all offices to Lucknow in the interests of good administration and economy ?

THE HONOURABLE MR. M. G. HALLETT : It seems to me to be entirely a matter for the Local Government to decide. I am not quite certain what the legal position is under the present constitution ; certainly under the future constitution it will be purely a provincial matter to settle where the headquarters of a Provincial Government ought to be located.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : Am I to understand that the Government of India are not going to take any steps in the matter till the new Constitution comes into being ?

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**THE HONOURABLE THE PRESIDENT:** The Honourable Member has already answered that question.

**EXPULSION OF FOUR CHETTIAR BANKERS FROM INDO-CHINA.**

122. **THE HONOURABLE MR. HOSSAIN IMAM** (on behalf of the Honourable Rai Bahadur Lala Jagdish Prasad) : (a) With reference to the expulsion of four Chettiar bankers from Indo-China and the statement made by the Foreign Secretary in the Legislative Assembly in the last session will Government be pleased to state what has been the ultimate result of the British authorities' intervention in the matter ?

(b) Is it a fact that a number of insolvencies occurred in Indo-China which led the Government to issue instructions to the courts to grant some sort of moratorium to the debtors ; that after these instructions had been withdrawn the Chettiar bankers and other creditors took recourse to the law courts for the execution of decrees ; that the French Government asked the Chettiars to accept 20 or 30 per cent. of the dues and write-off the rest of the debts ; and that on their refusal to do so four of them were asked to leave the country ?

(c) Have the Chettiar bankers been allowed to return to Saigon as a result of the efforts of the Government of India ?

(d) If not, what do Government further propose to do in the matter ?

**THE HONOURABLE MR. B. J. GLANCY :** (a), (c) and (d). As a result of the representations made by His Majesty's Government on behalf of the Government of India, the Governor General of Indo-China has rescinded the expulsion orders issued against two of the Indian bankers, who had not yet left the country. Negotiation between the Government of Indo-China and the Indian bankers are continuing and it is hoped that they will result in an amicable arrangement. The latest reports from Saigon indicate that the French authorities while unwilling for the present to rescind the expulsion orders passed against the four Chettiars who have actually been deported are prepared to allow them to return to Cochin China on safe conduct and to resume their business.

(b) The facts appear to be much as stated by the Honourable Member.

**RECOMMENDATIONS OF THE DEPARTMENTAL ENQUIRY COMMITTEE ON TELEGRAPH ESTABLISHMENT.**

123. **THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Will Government be pleased to place on the table a copy of the report of the departmental enquiry committee regarding telegraph establishment appointed in September, 1932 under the Chairmanship of Mr. S. P. Verma ?

(b) What recommendations, if any, have been accepted by Government and when will they be given effect to ?

**THE HONOURABLE MR. J. A. SHILLIDY :** (a) As a copy of the report has already been placed in the Library of the Central Legislature, Government do not consider it necessary to lay a copy on the table.

(b) Action on the recommendations of the Committee has been postponed pending the receipt of the views of the representative telegraph service organisations.

**TRANSFER OF TERRORIST PRISONERS TO THE ANDAMANS AND THEIR TREATMENT THERE.**

**124. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** Will Government be pleased to state :

(a) Number and names of political prisoners and detenus sent to the Andamans during the last three years from each province ?

(b) Date from which this practice has been started and the reasons, if any ?

(c) Whether they are kept separately or with other prisoners ?

(d) Whether they are given special diet ? If so, what ?

(e) Whether they are required to do any work ? If so, what is the nature of the work ?

(f) Whether they are allowed to interview their relations and friends ? If so, with what restrictions ?

(g) Whether they have freedom to read and write ? If not, with what restrictions can they do so ?

**THE HONOURABLE MR. M. G. HALLETT :** (a) and (b). No detenus have been deported to the Andamans. Only prisoners convicted of terrorist offences have been sent there. The first batch of these prisoners was sent in August, 1932. I am unable to give any detailed information in regard to these prisoners. The reasons for their transfer were stated in the communiqué issued on June 13th, a copy of which I laid on the table in reply to the Honourable Mr. Vinayak Vithal Kalikar's question No. 13.

(c) They are confined in the Cellular Jail, entirely separate from other prisoners.

(d) A certain number of Bengali cooks have been transferred to the Andamans to cook the food of the Bengali prisoners. As far as circumstances permit the prisoners will receive the diet admissible to the class in which they were placed in Bengal.

(e) Each prisoner is allotted work suited to his capacity.

(f) The rules permit one interview every three months subject to good behaviour.

(g) Yes, in accordance with the jail rules.

**DISALLOWANCE BY THE GOVERNOR OF BURMA OF DISCUSSION OF THE QUESTION OF SEPARATION OR FEDERATION.**

**125. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA :** (a) Has the attention of Government been drawn to the speech of His Excellency the Governor of Burma in the Legislative Council forbidding the raising of the question of separation or federation on the Hoare Memorandum ?

(b) If so, will Government be pleased to state whether this has been done with the consent and approval of the Government of India ?

(c) What are the reasons for this action ?



THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN :  
 (a) I have seen a press report of the speech referred to.

(b) and (c). The matter is within the discretion of the Governor. The Government of India were not consulted.

#### BOMBING BY AIR OF KOTKAI.

126. THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : (1) Will Government be pleased to state the gravity of the situation which led to bombing by air of Kotkai on the borders of Afghanistan on the 1st August, 1933 ?

(2) Will Government be pleased to state as follows :

(a) The number of days Kotkai was bombed ?

(b) The number of air machines employed for the purpose ?

(c) The number and weight of bombs dropped ?

(d) The number of persons—male, female and children, killed ?

(3) What will be the total cost of Kotkai operations ?

(4) What military force was despatched from other places to meet the situation ?

(5) Has the attention of Government been drawn to the protests of the two British papers as well as Mr. Lansbury's letter to the *Times*, calling on Christian Churches to repudiate "this outrage against God and humanity" ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (1) The Honourable Member is referred to the statement on this subject made by His Excellency the Viceroy in his address to both Houses of the Legislature yesterday.

(2) (a) Three (August 1st, 3rd and 4th).

(b) Twenty-four machines, 12 on the first day and six on each of the two subsequent days.

(c) Ninety bombs, weighing 10,788 lbs.

(d) As far as can be ascertained after the most careful enquiries possible, no one was killed and only one man was slightly injured.

(3) The total cost of the air operations amounted to under Rs. 15,000. No other action has been, or is at present being taken in Bajaur.

(4) It was necessary to rebuild the bridge over the Panjkora river at a place called Balambat in case land operations became necessary. One brigade was moved up to protect this work from attack.

(5) Yes.

THE HONOURABLE RAI BAHADUR LALA MATHURA PRASAD MEHROTRA : With reference to the answer to part (2), may I know how the Government was in a position to ascertain that by these 90 bombs no one was killed ?

**THE HONOURABLE THE PRESIDENT :** The question does not arise and it is moreover frivolous. The department which is concerned with the business, the Military Department, know how to ascertain the information in regard to what they have said.

**INTEREST OF LANDHOLDERS OF PERMANENTLY SETTLED TRACTS IN THE NEW CONSTITUTION.**

127. **THE HONOURABLE RAJA RAGHUNANDAN PRASAD SINGH :** Are Government aware of the feeling prevailing amongst the landholders of permanently settled tracts of the country that safeguards should be provided in the new Constitution against any attempt, direct or indirect, to interfere with their rights and interests? If so, what measures do they propose to take in the matter?

**THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN :** Government understand that this matter has been brought to the notice of the Joint Select Committee by representatives of landholders' interests.

**SHORT NOTICE QUESTION AND ANSWER.**

**RELEASE OF MR. GANDHI.**

128. **THE HONOURABLE MR. HOSSAIN IMAM :** Will Government kindly give the following information about the release of Mr. Gandhi :

(a) Did the Government of India or the Bombay Government allow him facilities for Harijan work in jail?

(b) Did the Government of India or the Bombay Government refuse further facilities?

(c) Did the Government of India or the Bombay Government offer him the terms of release?

(d) If the Bombay Government was responsible for all these, did they do so independently or in consultation with the Government of India. Is it a fact that Mr. Gandhi was released without the sanction of the Government of India, under orders of higher authorities?

**THE HONOURABLE MR. M. G. HALLETT :** (a) and (b). The orders as to the facilities for Harijan work which should be allowed to Mr. Gandhi during his imprisonment and as to those which should be refused were issued by the Government of Bombay with the full approval of the Government of India and the Secretary of State.

(c) Similarly, Mr. Gandhi was informed by the Government of Bombay with the full approval of the same authorities that Government were prepared to set him at liberty if he was willing to abandon all civil disobedience activities and incitements.

(d) In view of the answer to (a), (b) and (c), the first part of the question does not arise. The release of Mr. Gandhi, when as a result of his fast he was approaching the danger zone, was made with the full approval of the Government of India and the Secretary of State. There is no truth in the suggestion

that it was sanctioned by the Government of Bombay, without the approval of the Government of India, under the orders of higher authorities.

### MOTION *RE* FUTURE ADMINISTRATION OF ADEN.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House): Sir, I beg to move:

"That the Government of India communiqué, dated the 20th June, 1933, regarding the future administration of Aden be taken into consideration".

This motion is being moved in order to discharge the obligation that the Government had incurred when the question of the separation of Aden from India was raised in this House and in the other House some years ago. Those Honourable Members who have been in this House for some years in the past will remember that a Resolution on the subject was moved by the Honourable Sir Phiroze Sethna and discussed at considerable length on the floor of this House. The Government at the time adopted the policy of neutrality in the matter and the debate was conducted on that Resolution by the non-official Members. The Leader of the House at the time wound up the debate by stating that Government did not want to take part in the debate and that Government as well as the official Members were not going to vote on the Resolution. I have no doubt it will be the desire of the House that the Government should adopt the same attitude when the same subject-matter is being discussed now. With your permission, Sir, I may state that Government has already decided to adopt the same policy in the matter of the discussion of this subject.

I should, however, like to make one point clear before I resume my seat. It is this. I have no doubt the Honourable Members have carefully studied the communiqué referred to in the motion wherein the conditions under which His Majesty's Government at present contemplate dealing with this question are set forth and the first condition is that—

"India will be relieved of the annual contribution of approximately Rs. 20 lakhs at present payable towards the military and political administration".

The question arises, who is going to pay this money instead of the Government of India? In some quarters it has been felt that the people of Aden may be called upon to pay this Rs. 20 lakhs. I am authorised, Sir, on behalf of Government to state that His Majesty's Government do not in any way contemplate mulcting the Aden people to the extent of this sum. As a matter of fact, His Majesty's Government have decided to contribute this sum themselves in place of the Government of India. So I trust this statement will satisfy those who represent the Aden people's point of view. Having made this one point clear there is hardly anything more for me to add, Sir, except to state that I will be listening with great interest to the ensuing debate and it will be only in case there are any flagrant mis-statements of fact or misapprehension of the Government attitude that I or any of the official Members will be called upon to speak with the object of clearing up the misapprehension.

THE HONOURABLE THE PRESIDENT: Motion moved:

"That the Government of India communiqué, dated the 20th June, 1933, regarding the future administration of Aden be taken into consideration".

Before the debate proceeds I wish to point out that we have received three so-called amendments which are in the nature of alternative propositions or substituted propositions. Two of them have not been received in time and they are barred under Standing Order 64. However, as the matter is of very great importance, I propose to suspend the operation of the Standing Order and permit the introduction of both the substituted propositions of Rai Bahadur Lala Mathura Prasad Mehrotra and Sir Phiroze Sethna. I wish, however, to point out that I do not propose to stick to the order in which these substituted motions appear on the paper. I propose to give precedence to Sir Phiroze Sethna's substituted motion because it is more definite and comprehensive in character than the other two, and it is the privilege of the Chair to exercise its discretion in the matter and I wish to give precedence to the motion of Sir Phiroze Sethna. As regards the other two motions I will, immediately Sir Phiroze Sethna has addressed the House, call upon the two Honourable Members and leave it to their good judgment to consider whether they will press their amendments or not, because in my opinion their motions are fully covered by Sir Phiroze Sethna's substituted motion. I wish also to point out to the House that in case Sir Phiroze Sethna's substituted motion is passed, I shall not put the original motion for consideration again because Sir Phiroze Sethna's motion will be substituted for the motion of the Honourable Sir Fazl-i-Husain. The debate will now proceed. Sir Phiroze Sethna.

**THE HONOURABLE SIR PHIROZE SETHNA (Bombay: Non-Muhammadan):** Mr. President, I am very grateful to you for allowing my amendment to stand as a substituted motion and also for permitting it in spite of the fact that I was not able to give you timely notice as required by section 64 of our rules. I now formally move my substituted motion which reads as follows :

"This Council after duly considering the Government of India Press communiqué of 20th June, 1933, submits that whilst no longer objecting to the transfer to Imperial control of the political and military administration of Aden as it exists at present, it is definitely of opinion that its civil administration be continued with the Government of India or if thought necessary to be re-transferred to the Government of Bombay, but that such civil administration not be transferred to the Colonial Office."

**THE HONOURABLE THE PRESIDENT:** I would ask the Honourable Member to insert the word "should" after the words "civil administration"; also to substitute the word "should" for "to" after the word "necessary"; and also in the last line to insert the word "should" after the word "administration".

**THE HONOURABLE SIR PHIROZE SETHNA:** I am perfectly agreeable, Sir.

Mr. President, the Honourable the Leader of the House has told us the object of the motion which he has placed before this Council this morning. He said that it is in accordance with the obligation Government entered into, namely, that the question of the transfer of Aden from the Government of India to the Colonial Office would only be undertaken after the Indian Legislature were given an opportunity of discussing it. For this favour we are very grateful to Government although I may be permitted to point out that on a previous occasion, in spite of similar assurances, Government did not carry out such an arrangement and to which I will refer a little later.

[Sir Phiroze Sethna.]

The Honourable the Leader of the House has referred to the Resolution that I moved in this Council on the 26th September, 1921. It reads as follows :

“ This Council recommends to the Governor General in Council that a representation be made to the Secretary of State for India that the administration of Aden be continued under the Government of India and not be transferred to the Colonial Office ”.

As the Honourable Sir Fazl-i-Husain has told us, on that occasion Government very kindly, and very rightly, requested Government Members not to take part in the discussion or in the voting. We are extremely indebted to the Honourable Sir Fazl-i-Husain for assuring us that the same procedure will be followed in the course of the discussion this morning. The Honourable Sir Fazl-i-Husain added that the then Leader, the late Sir Muhammad Shafi, at the end of the debate surveyed the whole situation and stated that Government were going to observe perfect neutrality in the matter. Sir Muhammad Shafi's words will bear repetition, and therefore, with your permission, I propose to quote them. He said :

“ I can assure the House that the Government of India will take note of the opinions expressed in this House by various Members representing different interests. They will note the fact that Indian sentiment according to the various speakers is entirely opposed to this transfer. They will also take note of the fact, which has been positively stated by the Honourable Mr. Sethna and is endorsed by the Bombay Government that local opinion in Aden as well as in Bombay is also opposed to the transfer. They will further take note of the fact stated by the Honourable Rai Bahadur Lala Ram Saran Das, that in view of the position which Indians at present occupy in different parts of Africa—parts that are under the control of the Colonial Office—Indians would prefer that Aden—their brethren, their countrymen, residing in Aden—should remain under the control of the Government of India rather than that Aden should be transferred to the control of the Colonial Office. All these sentiments which have been expressed in the various speeches delivered by Honourable Members today will, the House may rest assured, be carefully borne in mind by the Government of India. The Government of India have not yet pronounced in favour of this transfer and until they do, no Honourable Member has any right to assume that they are in favour of that proposition. Their position is, as announced by the Honourable the Foreign Secretary, one of benevolent neutrality towards the Resolution moved by the Honourable Mr. Sethna. They prefer to leave this Resolution to the vote of the House. The official Members will take no part in the voting and Government will undoubtedly pay due regard to the final verdict of this House upon the Resolution moved by my Honourable friend ”.

Mr. President, if this was the view that the Council held in September, 1921, I think I am perfectly justified in stating that the Council holds not only the same view today but holds it in a greatly intensified form. (Hear, hear.) Sir, even after 1921, there were occasional reports that Aden was going to be transferred, and in order to make sure on the point, questions were asked both in this House and in another place to which very definite replies were given by Government which I will quote. On 16th January, 1922, the then Law Member, Sir Tej Bahadur Sapru, in the Legislative Assembly said :

“ Government have no intention of arriving at any decision without giving the Assembly an opportunity of discussion ”.

Two years later, on 9th June, 1924, in answer to a question in this House Sir John Thompson, the Foreign Secretary, observed as follows :

“ The matter of the transfer was under the consideration of His Majesty's Government and it was not possible to say when a decision would be arrived at but that before a final

decision was arrived at, the Indian Legislature would be given an opportunity to express its opinion".

Such an opportunity, however, was not given to us, and this is where Government committed a breach of faith with the Legislature. On 3rd March, 1927, the then Commander-in-Chief, speaking on the Budget debate, made an announcement which simply staggered the Assembly. It came as a bolt from the blue. His Excellency said that the military and political administration of Aden had been definitely transferred to the Home Government, and this, as I say, without any previous reference to the Legislature. Sir, this was not enough. The announcement went on to add as follows :

"As Honourable Members are aware, the Settlement of Aden itself is peopled to a very great extent by our fellow Indian subjects. The Government of India have thought it right that their welfare and interests should not go outside the ken of the Government of India. It will accordingly be retained; that part of the Settlement and the municipality of Aden will remain under the Government of India".

I would ask the House to note very carefully that what I am proposing in my motion today is in substance what the Commander-in-Chief announced as I have just stated.

The Commander-in-Chief's announcements surprised the Assembly and it is no wonder that in both the Houses there was very severe criticism of the attitude of Government in regard to this matter. Not only was the Indian Legislature kept in the dark, but even the Provincial Government immediately concerned, namely, that of Bombay, was entirely in the dark, and that in spite of the fact that the Government of India knew the views of the Government of Bombay on the question. In this House we have official representatives of the different Provincial Governments. We are not often favoured with an opportunity of hearing their voices, and it is only on very rare occasions, and when such Provincial Governments think that it is absolutely necessary in the interests of such Provincial Governments that their view should be placed before the House, that their representatives do get up and talk. Such was an occasion when I moved my Resolution in September, 1921. The then representative of the Bombay Government, the Honourable Mr. Pratt, a Member of the Indian Civil Service, used words which showed the feeling which the Government of Bombay entertained on the question of the transfer of Aden. He said :

"The transfer of Aden to the Colonial Office is a question in which the Government of Bombay is deeply and closely interested. Towards that question the attitude of the Bombay Government cannot in any circumstances be one of neutrality and I have been authorised to give expression to the provisional views of the Bombay Government at this stage of the discussion of this question. Their position is that they have had very little notice and indeed very little time for the consideration of this question. They have had very little information of the grounds upon which the transfer has been considered. It is also a fact that public opinion both in Bombay and Aden has expressed itself very strongly against the proposed transfer. Very strong protests have been recorded by the trading communities of Bombay and Aden, and for that reason for the present the Bombay Government objects to any change in the *status quo*".

Now, Sir, the Bombay Government have not changed their views, as is evident from what followed in the Bombay Council exactly a week after the

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announcement made by His Excellency the Commander-in-Chief in the Assembly. That announcement, as I have already said, was made on 3rd March, 1927. On 10th March, 1927, the Home Member of the Bombay Government, Sir Ernest Hotson, introduced a Bill called the Aden Civil and Criminal Justice Bill in the Bombay Council and in regard to the statement made by the Commander-in-Chief, Sir Ernest said that the announcement came as a surprise to the Government of Bombay as much as to the general public.

"I am obliged to stress this point", said Sir Ernest, "because during the discussion on the Bill both I and my Honourable friend the Chief Secretary assured several Honourable Members that we had no reason to suppose that a transfer was imminent, and indeed pointed to the fact that the Government of India had instructed us to proceed with the Bill as evidence that no immediate change was proposed. The details of the future system of administration at Aden are not yet known to the Government of Bombay, which indeed knows nothing further than what has appeared in the press".

This, Sir, proves my statement that even the Provincial Government most directly concerned with the transfer was kept entirely in the dark.

This was, as I have said in 1927. In January, 1929, when there were fresh rumours of the transfer, questions were again asked and Sir Denys Bray gave a reply which consisted of two sentences which are very pertinent and to which I would respectfully request the earnest attention of Members of this Honourable Council. The first sentence was :

"I repeat my promises that the transfer of Aden from India will not be effected without this House being taken into consultation".

Mark the words "my promises", which I may add were not fulfilled. The next sentence is still more pertinent. He said :

"I hasten to add that all idea of such a transfer has long since been abandoned".

Two years later, when the Aden administration was proposed to be transferred from the Government of Bombay to the Government of India there were also rumours of a subsequent transfer from the Government of India to the Colonial Office. Thereupon those interested in the Aden trade thought it necessary to wait in a deputation on His Excellency the Viceroy. The deputation was a very influential and representative one. It waited on His Excellency Lord Willingdon in November, 1931. The deputation pointed out to the Viceroy that it was feared that in all probability the transfer from the Government of Bombay to the Government of India was the thin end of the wedge and that it was but the first step to its subsequent transfer to the Colonial Office. Now, Sir, mark the reply which on behalf of the Viceroy the then Foreign Secretary, now Sir Evelyn Howell, gave to the deputation. He said, as regards the apprehension that the proposed transfer was only a step towards the transfer of control to the Colonial Office, that the present proposals were made solely with a view to improving the conditions and making an end of administrative inconvenience at Aden.

"The proposals were complete in themselves and were made on their own merits without afterthought or ulterior motives of any kind. They were not a step towards any other change".

The deputation at first thought that His Excellency would not take part in the discussion, but His Excellency, in order to allay the fears of the deputation,

himself thought fit to add a few words. He emphatically endorsed the Foreign Secretary's statement regarding the transfer to the Colonial Office that no such suggestion had been considered and undertook that, should it arise in future, all interests concerned would be consulted. The transfer now proposed would make no difference to the commercial relations of Aden with Bombay and, in his opinion, as at present advised, it seemed the wiser course all round.

After an interval of another two years or less the White Paper was published in March last. The only reference to Aden in the White Paper is in four lines, which read as follows :

“ The Settlement of Aden is at present a Chief Commissioner's province. The future arrangements for the Settlement are however under consideration, and accordingly no proposals in respect of it are included in this document ”.

Soon thereafter several British-Indian delegates were sent to London to confer with the members of the Joint Select Committee of Parliament, of whom I was one. After we reached London we learned that there was every chance now of the transfer to the Colonial Office being completed. Some of us delegates therefore thought it advisable to request an interview with the Right Honourable the Secretary of State. He agreed to receive our deputation which was led by His Highness the Aga Khan. We laid our case before him and from what we gathered we understood that he was in sympathy with the view we expressed. But at the same time he pointed out that because there was to be federation in India hereafter, which would consist only of provinces and of Indian States, and because Aden was not a province the question was very difficult. At the same time he hoped that the difficulty might not be insurmountable. How he hoped to surmount the difficulty he did not say, but if I might venture an opinion I think that if Aden continued as before to remain under the province of Bombay perhaps the difficulty could be removed. It is for that reason, Sir, that in my substituted motion I have said that if thought necessary the civil administration of Aden might be re-transferred to the Bombay Government.

Now, Sir, I turn to the press communiqué to which the Honourable Leader of the House drew our pointed attention, and particularly to those points in it which he thought we ought not to ignore in the course of our discussion. In the first place, I will deal with the three points in the communiqué as to why Aden should not remain linked with India. Point No. 1 says that Aden is geographically remote from India. If it is 1,600 miles away from India, the distance between Aden and the Colonial Office is two-and-a-half times that. I will leave it to the House to consider if this argument is sound. The next point is that it would not naturally fit into the new federation. I have already answered this contention by saying that even in the opinion of no less a personage than the Right Honourable the Secretary of State that difficulty is not insurmountable. I now come to the third point, and that is that it is already to some extent under Imperial control. The answer to that is that if it has passed out of our control, it was not with our agreement, it was so done over our heads and in spite of our protests. We are however now quite prepared to concede that for political and military considerations Aden may remain under the Imperial control.



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Then there are six points enumerated in the communiqué according to which Government try to make out that India would not be a loser by the transfer. I will deal with them *seriatim*.

Point No. 1, on which my Honourable friend, the Leader of the House, has laid particular stress is that India will be saved a burden of Rs. 20 lakhs a year. I dispute the figure of Rs. 20 lakhs and I shall endeavour to prove that the figure is not correct. In no case are we expected to pay more than a maximum of £150,000 or, say, Rs. 20 lakhs according to the arrangements made in 1927 and in accordance with the reply given this morning by Government to a question asked by the Honourable Mr. Mehrotra the amount at present is about £119,000 or Rs. 16 lakhs. Now, against this Rs. 20 lakhs Government must set off what the Government of India will lose in the shape of the revenue which it derives from salt and also from income and super-tax. I make out roughly that Government will lose Rs. 10 lakhs under the heads I have quoted. Let me give you the details under the heading Salt. With regard to salt, the Government of India get a royalty of eight annas for every ton of salt exported. According to the latest figures, the export of salt in a period of 12 months amounted to over 280,000 tons and consequently Government will lose Rs. 1,40,000. Government also get ground rent for land where the salt is made which is another loss of Rs. 25,000, or in all Rs. 1,65,000. Again, so far as I can make out, the four salt factories in Aden pay between them income-tax and super-tax to the extent of Rs. 3½ lakhs or more, so that the total of these two items alone exceeds Rs. 5½ lakhs. I explained that the Government of India will lose Rs. 10 lakhs, and I pointed out how the loss is Rs. 5½ lakhs or more under salt alone. The difference between Rs. 10 lakhs and Rs. 5½ lakhs is made up by the amount of income-tax and super-tax under heads other than Salt. My estimate is on the conservative side and perhaps Government may lose more. I am glad that the Honourable the Leader of the House has said that if there are mistakes or misapprehensions in any statements we make he will correct them in the course of his reply and I do hope that he will be good enough to answer the point that I have made.

**THE HONOURABLE THE PRESIDENT :** I request the Honourable Member to be as brief as possible ; he has already exceeded 20 minutes.

**THE HONOURABLE SIR PHIROZE SETHNA :** I shall be very grateful if you will give us some latitude. Government require our views and I am endeavouring to give them. I am very grateful to you, Sir, for the latitude you have already extended to me and I shall be still more grateful if you will give me more time.

**THE HONOURABLE THE PRESIDENT :** I am only asking the Honourable Member to be as brief as possible.

**THE HONOURABLE SIR PHIROZE SETHNA :** I shall be as brief as possible and avoid anything irrelevant.

To come back to the Press communiqué, Item No. 2 says that the right of appeal in judicial cases to the Bombay High Court would be maintained. If they do not allow appeals to be sent to the Bombay High Court, what would happen ? They will have to be sent much further away to London

instead of to Bombay ; or to establish an Appeal Court in Aden which will be a costly process. It is therefore by no means a favour to the Bombay Government or to the Government of India if appeals will be sent to Bombay.

Item No. 3 says that Aden would be made a free port unless some radical change in our present economic situation should take place. All these points have "ifs" and "ands" attached to them for they say "if" there is a change in the economic situation it will not be a free port.

Likewise No. 4 says that the present style of administration would be maintained and they would not impose any additional taxation unless—mark you there is "unless" here again—unless such a course becomes in their opinion absolutely necessary.

I now come to item No. 5. The communiqué says that a proportion of Indian service administrative personnel would be retained in the Aden service—and please note—"a proportion" will be retained and the rest will be sent away, and even the proportion that is retained will be retained "for some years", which means that at the earliest opportunity they will be asked to go away. And what is more important, in the future under the Colonial administration no more Indians will be taken, which will also be some little loss to this country in the matter.

Then there is the last item, which is perhaps the most important of all. It is said no racial legislation or segregation would be permitted by His Majesty's Government. Now, Sir, we have very grave doubts if in spite of this assurance that Government will be able to maintain this promise for long. I will tell you why? His Majesty's Government must carry out a uniform Colonial policy. If they favour and discriminate in favour of Asiatics in Aden, there is bound to be a clamour on the part of Europeans in the other Colonies to which Government will have to yield as they have yielded in the past and they are yielding every day. Therefore these assurances are all paper assurances. They will last only for months or years and the position of Indians in Aden will become the same as the position of Indians in Kenya or other colonies. And that, Sir, is our most serious objection to the transfer. Experience tells us that we have suffered elsewhere and we are bound to suffer here as well, in spite of all promises and pledges to the contrary.

Now, Mr. President, I will in accordance with your wishes be brief, although I have much more material to add. I will enumerate the objections which we entertain against the proposed transfer. They are many, but I will content myself at present with only five.

First: It has been said that we are fighting and agitating against this proposed transfer merely on the ground of sentiment. If we do so, are we not justified? Indians have been in Aden even before the British went there. The British acquired Aden 94 years ago in 1839. Indians were there before that time and because of the encouragement given by British officers more Indians followed the British flag and particularly because they had assurances that Aden would ever remain a part of the Indian Empire. If they at any time, had any doubts on the subject, because of Indian experience in other colonies they would never have sunk their lakhs as they have done in buildings, shipping wharves, salt factories and in other concerns. They control in a great

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measure the trade of the Settlement. It will be no exaggeration to say that the barren rock of Aden with her population of 3,000 inhabitants has been converted into a prosperous port with a population of more than half a lakh by Indian men and money, by Indian resources and enterprise. It is therefore the duty of the Government to give us a patient hearing and to do us justice. We do not want to go under Colonial administration because we know that in that event Indians will have to leave the Settlement for reasons that I will deal with in our second objection to which I now turn.

Near Aden, as the Honourable House knows, is Somaliland. Somaliland was at one time administered by the Bombay Government. So long as it was administered by the Bombay Government, its three ports, Berbera, Bulhar and Zaila, were prosperous. They were going on from strength to strength. After the Somaliland war the Home Government thought it right to transfer Somaliland to the Colonial Office. With what result, Mr. President? These three ports are now practically dead. The population of Berbera has fallen from about 20,000 to 4,000 or less and likewise the others. And why, may I ask? Simply because the Indian traders left these ports and the Arab and Jewish traders followed in their wake. They did so for the same reason, namely, that they did not want to be under Colonial administration. Colonial administration is distinctly costly. Because it is costly taxes have to be raised. The Somaliland ports were almost free ports but soon duties were imposed and increased to meet the higher cost of administration and the result was Indian, Arab and Jewish traders left and the trade of these ports has completely dwindled down. The same must perforce happen in Aden if Aden is transferred to the Colonial Office and I may not be alive but our successors in this House will have occasion to say that I was a true prophet.

In support of our third objection that Colonial administration is more costly let me give just one illustration. When Aden was under Bombay, a representation was made to the Bombay Government that two Indian educational inspectors be replaced by two Europeans with salaries almost if not actually double. Because Education is a portfolio held by a Minister in Bombay, he stoutly opposed this, with the result that so long as Bombay was in charge of Aden, Aden did not get the two European educational inspectors. After Aden was transferred to the Government of India, the request was repeated and granted and two European inspectors have been sent. The same thing will happen in all other departments and in proof of that I may again refer the House to a press communiqué which says that only "a proportion" of the Indians now there will be kept and that too only for a period of years. Now, Sir, talking of the extra cost of Colonial administration, I may say in passing what is thought of it in other parts of the Empire, I mean in other Colonies. I returned from Europe this day last week. On board the P. and O. steamer I came by were some fellow passengers who were civil servants from the Straits Settlements and the Malay States. We were comparing notes with regard to the different civil services. They volunteered the information that their cadre is far larger than should be the case as compared with the cadre of the Civil Service in this country. But at the same time they said they had very little work to do. I naturally inquired, why don't you ask for reduction in the number of posts and more pay? They said such a proposal had been made, but the Colonial Office

did not want to increase their pay, what they wanted was more posts. One of them said ordinarily they have four civil servants there to do the work that is done by one civil servant in this country. Therefore if Aden goes to the Colonial Office the number of appointments is bound to be increased and the cost will be so much more that Indian tax-payers who are the largest tax-payers there will have to pay a great deal more.

Our fourth objection is that the trade of India today runs to some crores of rupees—seven or eight crores or more. This is to some extent due to shipping facilities that exist, by which I mean that because there are salt factories in Aden from which salt has to be imported into India and rather than that those ships go empty to Aden to bring this salt, there is shipped from this country by these boats a large amount of Indian produce and that helps to reduce the rate of freight. What goes there is rice, wheat, grains, tea, gunnies, piece-goods, etc.—not from Bombay and Karachi alone but from Malabar, Calcutta, and even Chittagong, Akyab and Rangoon. And why? Because Aden is a distributing port and this produce is sent from there to Arabian, African and even Iraq provinces. My point therefore is that if Indians leave Aden as they are bound to, this large trade will be lost to India. You may naturally inquire, why should not any other traders take their place? I say they will not. Indians conduct their business on different lines. Those who come in their place will not do the business on a credit basis same as the Indians do.

Our fifth objection is that, if Aden is not included in India and is transferred to the Colonial Office, then, because Aden salt pays only excise duty and not protective duty when it comes to India, the salt industry in Aden is bound to be crushed out of existence. These factories will be closed down and the lakhs sunk in them be lost but what is of great importance, and which I would ask Government to bear in mind, is that out of Aden's population of over 50,000, there are 2,500 Arabs who work in the four salt factories there and this large number will be without employment. Sir, I can easily multiply these reasons for objecting to the proposed transfer but I will not take up any more time of the Council.

I will now just briefly refer to one objection in connection with my original Resolution of 1921 raised by Sir Denys Bray. He expressed the fear at that date that the Arabs and Jews were siding with the Indians but how long would the Arabs do so? He thought that as soon as the Arabs are educated, they would not join forces with the Indians. The long period of 12 years has elapsed since then. The Arabs have not wavered in their affection and in their regard and sympathy with Indians and for good reasons they as well as the Jews prefer to act in concert with them. They know that the presence of Indians help them and therefore there is no talk and no fear of their not helping the Indians. I know when I was in London some months ago much capital was made of a small petition signed by 32 people and sent to the Viceroy through the Chief Commissioner of Aden. That was a petition signed not by pure Adenites but by 32 Arabs who came from the hinterland. As soon as it was discovered that such a representation had been sent, the regular Arab traders got together and within a few days sent another representation signed not by 32 Arabs but by 500 Arabs disclaiming what was said by the 32.

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And what about our Jewish friends? The Jews in Aden are not Jews from the Levant as they are in South Africa, and where they are favoured and treated as Europeans. The Jews in Aden are Baghdadi Jews, and as much Asiatics as the Indians or the Arabs there. Both the Arabs and the Jews know just as well as we do of the Colonial policy to which I have referred. They know the Colonial policy of European powers. It is not the British alone, for the policy of Italians in Mussowah and Italian Somaliland or of the Dutch in Java and Africa. In Java is just the same discrimination in favour of the white man against the Asiatic. We full well realise that no matter what professions or promises are made today they are bound to be broken. The Home Government must create some excuse or other to meet the wishes of Europeans in other parts of the Empire to see that no favour is extended to Asiatics in Aden which is not extended to them in other colonies.

I said, Sir, in the earlier part of my speech that the political and military administration is already taken away from the Government of India. We recognise that the British Empire is great and that it must have military outposts both near and far. Aden may well be regarded as the Gibraltar of the East so far as the British Empire is concerned. We certainly have a grievance that the transfer of the political and military administration was made without our consent and without our knowledge but India is a member of the great British Empire and for that reason we no longer press for the return to this country of what is already transferred in the way of the political and military administration. So far as the civil administration is concerned we protest and protest most stoutly for the reasons I have endeavoured to place before the Council.

I do hope, Sir, that Government will accede to our wishes and keep the civil administration with the Government of India or if necessary with the Government of Bombay. It is one thing for Government to ask for our opinion and quite another if Government do not give heed to that opinion. We do hope that the Leader of the House will give us an assurance that if the view held by the Legislature is against the transfer that Government will consider itself bound to respect the wishes of the Legislature and their wishes are what is practically desired by the country at large. (Applause.)

THE HONOURABLE THE PRESIDENT: Substituted motion moved :

“ That this Council after duly considering the Government of India Press communiqué of 20th June, 1933, submits that whilst no longer objecting to the transfer to Imperial control of the political and military administration of Aden as it exists at present, it is definitely of opinion that its civil administration should be continued with the Government of India or if thought necessary should be retransferred to the Government of Bombay, but that such civil administration should not be transferred to the Colonial Office.”

As this is a very important debate I will dispense with the time limit prescribed by Standing Order 61, but I will leave it to the

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good sense and judgment of Honourable Members to take as little time as possible as there are many Honourable

Members anxious to speak on the motion.

THE HONOURABLE MR. VINAYAK VITHAL KALIKAR (Central Provinces : General): Sir, after the able and eloquent speech of my Honourable

friend, Sir Phiroze Sethna, I think there is very little left for me to say on this subject. The amendment which I have tabled covered a wide range of ground, but as my Honourable friend, Sir Phiroze Sethna, who has studied this question for a long time, who waited on a deputation on the Secretary of State recently and who was spokesman of that deputation, has stated that so far as the political and military administration of Aden is concerned, these can be transferred, I do not propose to move my amendment. Of course, being a young man, and having full faith in British justice, I think the people of India have got a claim even on this point on His Majesty's Government, and the people of India rightly hold—I am at least optimistic in that view—that as the future constitution of India is coming, the British Government at that time will reconsider their view and retransfer the military and political administration of Aden to the Government of India. As my Honourable friend has advised me not to move my amendment and put forward that claim, I refrain from doing so.

Sir, this question of the transfer of Aden has been engaging the attention of His Majesty's Government for the last, I may say, 13 years. After the conquest of Aden for about 80 or 85 years, this question did not strike His Majesty's Government, but only in 1921, when in answer to a question in the House of Commons, the Prime Minister replied on February 28th, 1921, that the question of the transfer of the administration of Aden was under the consideration of the Colonial Office. My Honourable friend, Sir Phiroze Sethna, has quoted in detail the answers given by the Government of India on various occasions to questions in relation to this subject. I shall not repeat them. On all these occasions, the Government spokesman in both the Houses assured that no proposals will be made regarding the administration of Aden without consulting the Legislature. But what do we find? In 1917, as a war measure, the political and military administration of Aden was taken over by the Home Government without even consulting the Indian Legislature. In 1927, the political and military administration of Aden was taken over permanently by the Colonial Office, and that we came to know only through the Commander-in-Chief when he made the statement in the Assembly. That shows that the Indian Legislature was not consulted so far as the transfer of the political and military administration of Aden to the Home Government was concerned. Without even consulting the wishes of the people of Aden or taking into consideration the wishes of the various interests involved, they transferred the political and military administration permanently to the Colonial Office. After that, in 1931, the civil administration of Aden was transferred from the Government of Bombay to the Government of India. That is, between 1927 and 1931 no attempt was made by the Government of India to consult the wishes of the Indian Legislature as well as the wishes of the people of Aden and the various business men and mercantile community of Bombay whose interests are involved in Aden. Without consulting these people the civil administration of Aden was transferred from the Bombay Government to the Government of India. So, though an assurance was given, nothing in fact was done to fulfil that promise. As has been pointed out by the Honourable Sir Phiroze Sethna, Aden has been converted into a prosperous port by the enterprise, labour and capital of India. If Indians knew that Aden was going to be transferred to the Colonial Office, they would never have invested large sums of money, they would never have spent their labour and they would never have gone to Aden to settle there as

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permanent settlers. As said by the Honourable Sir Phiroze Sethna, in fact the British officers encouraged the people to go there, to invest large sums of money there, to start the salt industry, and to do many other things to improve the condition of Aden.

Now, Sir, the question is whether the wishes of the people of Aden are to be considered in regard to the question of the transfer of its administration. According to the principle of self-determination, the wishes of the people of Aden ought to be considered before Aden is transferred to the Colonial Office. But what do we find? When the attention of the people of Aden was drawn to the announcement in the White Paper that the future arrangements for the Settlement were under consideration, they held a mass meeting on the 16th April, 1933, and adopted a series of resolutions, copies of which were sent to the Government of India. At that mass meeting the Arab, Jew and Indian merchants of Aden and others who have vested interests in Aden were present, and the purport of the resolutions which they passed is that if the administration of Aden is transferred to the Colonial Office it will be detrimental to the interests of the residents of Aden. They also sent in representations to the British Government and to His Excellency the Viceroy. I can quite understand the suspicion existing in the minds of the people of Aden and various business communities in Bombay that the question of Aden's transfer will be decided against them, though they are every now and then told that their wishes will be considered. That is what actually happened in 1931 when the civil administration was transferred to the Government of India. So my submission is if you really desire to consult the wishes of the Indian Legislature and of the communities whose interests are involved, you should not only give due consideration to, but carry out, their wishes.

Well, my Honourable friend, Sir Phiroze Sethna, has dealt fully with the points stated in the Government communiqué of the 19th June and I do not want to repeat the arguments. But I submit that the plea of giving relief to the Indian tax-payer to the extent of Rs. 20 lakhs is occurring to the British Government—I am not including the Government of India—because they are insistent upon getting Aden under the Colonial Office after 85 years. For the last 80 or 85 years—I am open to correction—according to my information about Rs. 55 to Rs. 60 lakhs of the Indian tax-payer's money has been spent on Aden per year, but His Majesty's Government did not come to the rescue of the Indian tax-payer and they did not suggest that because the Indian tax-payer was paying so much they would take away the administration from the Government of India. It is only after Aden has been transformed from a barren rock to a prosperous port that the question arises and the Indian tax-payers are urged to part with Aden and told that they will be the gainers by Rs. 20 lakhs. Now, Sir, India has been paying this Rs. 20 lakhs to ensure the safety of the trade routes to East and South Africa, Ceylon, British Malaya and Australia, and the Imperial Government should in any case bear the charge and all the Colonies should contribute. The fortress of Aden is maintained to make the trade routes safe to all those Colonies, and in justice they ought to subscribe to its maintenance. Even supposing that they will not subscribe or that they are not justified in subscribing—though I do not admit that—and that the Indian tax-payer must bear the cost, even then I submit that this

question of Rs. 20 lakhs should not be brought in at all in deciding this important question. The Indian tax-payer has to spend not lakhs but crores on military expenditure. The Government of India have agreed to give a subvention to Sind and the North-West Frontier Province—

**THE HONOURABLE THE PRESIDENT :** Will the Honourable Member confine his remarks to the scope of the motion ?

**THE HONOURABLE MR. VINAYAK VITHAL KALIKAR :** I was simply putting up an argument, Sir. I do not want to digress and quite agree with your suggestion. I therefore say that in the interests of their own brethren the Indian tax-payer will not grudge paying Rs. 20 lakhs. Well, Sir, after the war, if my information is correct, South Africa, Australia and the other Dominions were allotted ex-enemy territories for administration under the guidance of the League of Nations. India not only was not given any territory for administration, but instead she is being deprived or attempts are being made to deprive her even of this territory, and that after the valuable services rendered by India to the British Empire in the Great War. I submit that justice requires that if really the majority of the people of Aden and Indian merchants with vested interests there find it desirable that Aden should be transferred to the Colonial Office, I should personally have no objection. But the protest that has been raised clearly shows that it is against their interests. It is against the interests of India as a whole and therefore I submit that Aden should not be transferred to the Colonial Office.

With these few remarks, Sir, I beg to support the substituted motion moved and do not move my own.

**THE HONOURABLE 'RAI BAHADUR LALA MATHURA PRASAD MEHROTRA** (United Provinces Central: Non-Muhammadan): Sir, as advised by you, I am not going to move my own amendment but will lend my support to the one so ably moved by Sir Phiroze Sethna. He has dealt with the matter so thoroughly that no important points have been left for us to place before the House. It is always the case when a good speaker after mastering the subject, speaks beforehand that the others who follow him find themselves in a difficult position as all the points are anticipated by him. So I shall not repeat the arguments as well as the history of the case, but will submit a few observations so far as the Press communiqué is concerned. The first point that it is an area geographically remote from India has already been answered—that India is nearer to Aden than the Colonial Office. The second point is that

“it would not naturally fit into the new federation, and that it is already to some extent under Imperial control and that it is inseparable in practice from the Aden Protectorate, which has already passed wholly out of Indian control”.

May I ask how the other nations with federal constitutions—which have possessions outside, control them, and why it has been considered that India which has been administering Aden so far will prove unfit to administer it the moment it becomes a federation? Therefore I think this point also falls to the ground. As regards the point that it has already to some extent passed to Imperial control, I would submit that when the British Government deprived India of partial control over Aden, Indian opinion strongly protested against this highhandedness. Do the Government believe that they would be making amends



[Rai Bahadur Lala Mathura Prasad Mehrotra.]

for that injustice by depriving India of even the remaining control over it. My Honourable friend has already said that we do not question the military and political control of Aden, but certainly we shall fight to our level best if the civil administration is also going to be transferred. Then, Sir, the communiqué states the five points in favour of its transfer to the Colonial Office of which the first and the last are very important. The first states that India would be relieved of the annual contribution of approximately £150,000 sterling or Rs. 20 lakhs at present payable towards the military and political administration. My Honourable friend, Sir Phiroze Sethna, has already stated that India will get Rs. 10 lakhs out of the revenues that will have to be transferred to the Colonial Office with the transfer of Aden. Sir, the other day I put some questions to the Government to get information about the income and expenditure of Aden and for the information of the House I shall just read the answer that I have received only on the 29th of this month. In answer to my question about the total cost of administration of Aden, civil as well as military, the Government have said that the contribution for political and military expenditure in 1930-31 was £150,000. In 1931-32, it was £136,499. In 1932-33, (to March, 1933) it was £119,959. From these figures we find that the military and political expenditure is decreasing considerably and has come down from £150,000 to £119,959. As regards the civil expenditure the figure is also decreasing as we find that in 1930-31 the civil expenditure was Rs. 12,45,500; in 1931-32, it was Rs. 11,39,000; in 1932-33, revised estimate, it was Rs. 11,01,700. The House will find that the civil income of Aden is increasing every year. In 1930-31, the income was Rs. 10,27,588; in 1931-32, it was Rs. 12,04,100; in 1932-33, revised estimate, it was Rs. 13,64,000. Thus from Rs. 10,27,000 it has gone up to Rs. 13,64,000—an increase of about Rs. 3 lakhs during the last two years. We find on the one hand that our expenditure on Aden is not increasing, but diminishing; on the other hand, our income is gradually increasing; so instead of paying Rs. 20 lakhs as suggested in the communiqué, I think in the course of a few years India will not have to pay anything for the maintenance of even the military and political administration if it is also transferred from the Colonial Office. Then, Sir, the other point and the last one, is the most important, and it is

“that no racial legislation or segregation would be permitted by His Majesty's Government”.

As my friend Sir Phiroze Sethna has said, these are only paper assurances and they will have to give similar consideration to all the Asiatic nations. We have already seen the treatment meted out to some of the communities in Africa. The Masai, the Kikuyu and other African communities were deprived of their lands and were hurried from place to place in spite of the fact that definite assurances were given by the Colonial Office.

So, Sir, we should not rely much on these assurances and the fact is that the hands of the Colonial Office will be forced to change their policy. Therefore, I lend my whole-hearted support to the substituted motion of my Honourable friend, Sir Phiroze Sethna

\*THE HONOURABLE SARDAR SAHEB SIR SULEMAN CASSUM HAJI MITHA (Bombay Presidency : Muhammadan) : Mr. President, Aden was captured by Major Baillie in 1839 with the help of Indian troops and ever since its annexation its administration has been carried on at the cost of the Indian Exchequer. On the assurance of the Government of India that Aden would ever remain a part of India the Indian merchants were encouraged to start new openings of trade and industries at Aden and to develop the same. The belief of the Indian merchants that Aden would ever remain a part of India was only natural, for well over 8 years no move on the part of the Government was made to indicate their intention of transferring Aden at any time to His Majesty's Government. As a matter of fact this belief led the Indian merchants to develop the "Barren Rocks of Aden" and to turn them into a prosperous territory. As a result, the population of Aden, which was hardly 3,000 at the time of its annexation, has increased to about 53,000 at present. (At this stage the Honourable the President vacated the Chair, which was taken by the Honourable Nawab Malik Mohammad Hayat Khan Noon.)

A cursory glance at the trade returns will convince any one of the magnificent part which Indian enterprise has played, for about a century now, in the development of Aden. Not only this, the Indian merchants have also been responsible for bringing modern civilisation to the original tribes of Aden, which have been always loyal to His Majesty the King Emperor. This fact should undoubtedly be a matter of pride to the British Empire.

The question of the transfer of Aden dates back to 1921 when, for the first time, on the 29th February, 1921, the Prime Minister made a statement in the House of Commons to the effect that the responsibility for the administration and policy in Palestine, Mesopotamia and Aden was to be transferred to the Colonial Office.

As a mark of protest against the reference of the transfer of Aden by the Prime Minister, Sir Phiroze Sethna moved the following Resolution in the Council of State on the 26th September, 1921 :

"This Council recommends to the Governor General in Council that a representation be made to the Secretary of State for India that the administration of Aden be continued under the Government of India and not be transferred to the Colonial Office".

Speaking on this Resolution, the Honourable Mr. Pratt, I.C.S., expressed the view on behalf of the Government of Bombay to the effect that the attitude of the Bombay Government towards the question of the transfer of Aden to the Colonial Office could not, under any circumstances, be that of neutrality and indifference for the reason that public opinion, both in Bombay and Aden, had emphatically expressed itself that the administration of Aden should not be handed over to the Colonial Office. The Honourable Mr. Pratt also stated that very strong protests had been made by the trading communities of Bombay and Aden and so the Bombay Government did not desire any change in the *status quo*.

Speaking on the same Resolution, the late Sir Muhammad Shafi gave an assurance on behalf of the Government of India that they would make a note of the fact that Indian sentiment according to the various speakers,

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\*The Honourable Member spoke in Urdu and submitted the translation here produced.

[Sardar Saheb Sir Suleman Cassum Haji.]

representing different interests was entirely opposed to the transfer of Aden to the Colonial Office. He also said that the Government would take into consideration the facts as stated by Sir Phiroze Sethna and supported by the Government of Bombay that local opinion in Aden as well as in Bombay was definitely opposed to the transfer. He further said that the Government would also take a note of the fact stated by the Honourable Rai Bahadur Lala Ram Saran Das that, in view of the position which Indians occupied in different parts of Africa under the control of the Colonial Office, Indians would prefer that Aden should remain under the control of the Government of India rather than that it should be transferred to the control of the Colonial Office. In the end, Sir Muhammad Shafi emphasised that Honourable Members had no right to assume that the Government of India was in favour of the transfer so long as they had not pronounced a definite opinion on the matter. It is important to note in this connection that the Council of State adopted the above Resolution as moved by Sir Phiroze Sethna.

Speaking on behalf of the Government of India on the 16th of January, 1922, Sir Tej Bahadur Sapru assured the Legislative Assembly that they would be given full opportunity of discussing the question of the transfer of Aden before any decision was taken by the Government.

In reply to a question in the Council of State on the 9th June, 1924, Sir John Thompson stated that the matter of the transfer was still under the consideration of His Majesty's Government but that before a final decision was arrived at the Indian Legislature would be given an opportunity to express its opinion.

The question of the transfer of Aden took a new turn on 3rd March, 1927, when the Commander-in-Chief announced in the Legislative Assembly that the military and political administration of Aden had been definitely transferred to the Home Government. However, in the same statement, he announced that in the interests and welfare of the Indian people residing at Aden, the municipal and civil administration of Aden would remain under the Government of India.

Now, Sir, I would like you to refer to the speech of Sir Ernest Hotson, the then Home Member of the Government of Bombay, in the Bombay Legislative Council, while speaking on the Aden Civil and Criminal Justice Bill, wherein he said that the announcement of the Commander-in-Chief came as a surprise, both to the public as well as to the Bombay Government, as no imminent change was foreshadowed by the Government of India on the question of the administration of Aden.

In January, 1929, Sir Denys Bray stated in the Legislative Assembly that the transfer of Aden from India would not be effected without consulting the House and further added that all idea of such a transfer had long since been abandoned.

In 1931, the civil administration of Aden was transferred from the Bombay Government to the Government of India. The Indian, Arab and Jew residents of Aden protested against such a transfer because, among other things, they feared that it was only a step towards the transfer of the control of Aden to the Colonial Office.

A representative deputation led by Sir Chunilal Mehta waited on His Excellency the Viceroy on the 30th November, 1931, and put forward the views of the Indian merchants. His Excellency the Viceroy as well as the Foreign Secretary, Mr. Evelyn Howell, assured the deputationists that the proposals were final in themselves without any ulterior motives on the part of Government, and that they were not a step towards the transfer of the control of Aden to the Colonial Office.

In clause 5 of page 19 of the White Paper, a reference was made to the transfer of Aden, which showed that the question was still under consideration and as such no proposal in respect of it could be included in that document. This statement in the White Paper alarmed the Arab and the Indian residents of Aden, who held a mass meeting on 16th April, 1933, and passed a series of resolutions on the subject. The purport of these resolutions was that Aden be kept under the control of the Government of India and that the transfer of Aden to the Colonial Office would be highly detrimental to the residents of Aden. They feared that the Colonial Government would not be able to give to the Aden residents the same protection to their rights and interests as was given by the Government of India. They also stated that the transfer of Aden would be a breach of pledges given, from time to time, to the residents of Aden by the Government.

A representative deputation headed by His Highness the Aga Khan waited on Sir Samuel Hoare, the Secretary of State for India, on the 30th May, 1933, and put before him the Indian point of view regarding the transfer of Aden.

The Government of India issued a communiqué on the 19th June, 1933, stating that the question of the transfer of Aden was receiving the consideration of His Majesty's Government, and therein they emphasised the point that Aden being so remote from India could not geographically be a part of India. It is a matter of surprise that the remoteness of Aden, which is 5,000 miles from England, and only 1,500 miles from India occurs to the Government only after a century, when it has grown to be a prosperous centre, entirely due to Indian enterprise. On more than one occasion, the Arabs and Indian merchants of Aden have declared themselves in favour of remaining under the control of the Government of India. If a referendum was to be taken on this point in Aden itself, its inhabitants would unanimously vote for the connection with India. The question under what Government they should remain should be left to the decision of the people of Aden themselves according to the principle of self-determination. The Government of India's communiqué further stated that in the event of Aden being transferred to the Colonial Office, India would be relieved of the annual contribution of Rs. 20 lakhs that it was making towards the maintenance of the Aden fortress. In spite of our protests, if at all, Aden is unjustly taken away from India, the British Government should reimburse India for the loss which it has incurred during the last 95 years at the rate of Rs. 20 lakhs a year at least, though for some years India's contribution was about Rs. 50 lakhs or more annually. Justice demands that all these expenses should be borne by the Imperial Government and not by India alone. In these days when every Government is striving hard to capture markets for its produce and trade, it is a matter of regret that the Government of India

[Sardar Saheb Sir Suleman Cassum Haji.]

should think of the transfer of Aden from India and thus put the Indian merchants to grave losses which may amount to crores of rupees. We feel sure that if Aden is handed over to the Colonial Office, the Indian merchants will not only lose heavily as far as their trade and industry are concerned but as a consequence will be deprived of their other rights and privileges as well.

We earnestly hope that the Government will not commit a breach of their promises by transferring the administration of Aden to the Colonial Office. The condition of the trade and commerce of India is already bad enough to cause anxieties and India has for various reasons very limited markets in the world for the disposal of its commodities. Indian merchants have spent enormous amounts of money and labour to bring Aden to its present important position, and it has always provided a permanent market for Indian produce. If Aden is taken away from India, then it would create insurmountable business difficulties and hardships which would surely result in heavy losses to the Indian merchants. While, on the one hand, efforts have been and are being made to encourage trade and industry by means of trade agreements on the lines of the Ottawa Conference, and, on the other hand, by organising to hold the World Economic Conference in order to increase the volume of export trade, it is regrettable that the Indian merchants should be handicapped by the separation of Aden from India.

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

Indian merchants, both in India and at Aden, have always come to the rescue of the Government in their difficulties. They have been paying to the Government lakhs of rupees by way of income-tax, super-tax and a host of other taxes. They also willingly offered their loyal services to the Government during the most critical times of the Great War. Is this the proper return, I ask the Government, to the Indian business men, for their loyal and helpful services rendered by them that Aden should be taken away from India, and thus not only endanger their trade and industry in these bad days of unprecedented trade depression, but bring about their utter ruination? The main consideration that has decided the post-war politics hinges on "self-determination", and this principle has been of late universally acknowledged in every country of the world. We, therefore, hope that the Government will seriously take into consideration our loyal services in the past and the constant pledges given to us by them.

It is to be sincerely hoped that proper justice would be meted out to our just claims, and that the administration of Aden will not be transferred, but will be continued under the Indian Government.

THE HONOURABLE MAJOR NAWAB SIR MAHOMED AKBAR KHAN (North-West Frontier Province : Nominated Non-Official). Sir, the question of the transfer of the administration of Aden from the control of the Government of India to His Majesty's Government is one which I cordially support. I am not at all in favour of the amendments brought forward, but I support the separation on the clear understanding that the Indians as a whole, and the Pathan or Afghan population in particular, should not be stopped from entering the Aden Protectorate as is the custom now. The same privilege should remain while the Protectorate is transferred to His Majesty's Government.

My reasons are as follows. I am not supporting the Leader of the House on any whimsical grounds, but I am supporting him from my experience of that part of the world during my 11 months' stay in Aden while serving with the Aden Field Force during the Great War in 1918. All through my stay there I had opportunities of going to its surrounding suburbs, to see things for myself, and I was greatly interested to see and examine the various places within this Protectorate. I have been to Crater, Shaikh Usman, Halwan, Imad and Darrab which was the boundary of the Aden Protectorate in those days of the Great War. All through its length and breadth I found the lands sandy and barren, and I do not think that they can easily be made to pay the expenditure incurred towards their administration and control. There are some tanks in Crater only, but these can never be filled up with water and they cannot improve any kind of cultivation there. Wells can be dug in some of these places and although the water is brackish, there are possibilities of doing some sort of cultivation by means of windmills, but all these ways of doing cultivation cannot be expected to yield the revenue equal to the expenditure incurred. From my personal experience of those lands, I make bold to say that the administration of Aden is just like a millstone round the neck of Indian revenues, and the sooner it is taken away from India, the better it is for the Government of India and the Indian tax-payer, because, we the tax-payers will then be relieved of the annual contribution of nearly Rs. 20 lakhs from the Indian Exchequer.

The reasons given in the Press communiqué suggesting the separation of Aden from the Government of India are no doubt cogent ones and it will be a little bit of a futile attempt to try to refute them. At the same time, there are allegations to the effect that out of this sum of Rs. 20 lakhs contributed by the Government of India, nearly Rs. 12 lakhs are paid back to them in the shape of various taxation, and the balance of Rs. 8 lakhs is not only a loss to India alone but it can be fairly divided over East Africa, Malaya States, Australia and other countries within the British Empire. Besides India gets a fairly large portion of it in the way of salaries of the Indian troops stationed in Aden. It also receives a large share in the form of profit of Indian merchants doing business in Aden, which ultimately comes over to India. Thus on the whole India is not a loser by keeping Aden under its control, but considering the interests of the Indian communities doing business and service there, it is supposed to be a gainer. If, however, the Government of India want to sever their connection with the backward people under the coming federation scheme, care should be taken that the Indians do not lose their trade and their military services in Aden. I do not know anything about modern Aden, but in 1918 the majority of its population liked the connection with India and they welcomed Indian Muhammadan traders in those days in preference to others. Since I have not been to Aden after that I am not in a position to say accurately what the state of affairs is there nowadays, but I do not think that any Muhammadan country, whether in Asia or in Africa, would detest the Indian Muhammadan in any way. The Indian Muhammadans are their co-religionists and they are quite prepared to be tried by the Kazi of Aden as most of the small cases used to be tried by that authority in 1918. In separating this Protectorate from India, care should be taken that since the population of this country is not stationary there should be some place on this globe for the expansion of India's ever-growing population. Some place at least should be permanently

[Major Nawab Sir Mahomed Akbar Khan.]

guaranteed to Indians, so that after their investment of money and labour in its development they should not be ousted from it. The majority of the population of this Protectorate are Abdali, which is one of the tribes of the Afghan or Pathan peoples, and the Sultan of Lahij to whom the territory originally belonged is an Abdali Chief himself. So if there are any restrictions on other Indian Mussulmans after its separation from India, there should not be any check on the Afghan or Pathan population at least, because an Afghan will not be going to a stranger's land but will be going to the country of his kinsmen, *i.e.*, the land of the old Israelites who before their conversion to Islam were one and the same people and had a common ancestor in King Saul or Malak Talut. I am not so much anxious about any other section of the population in India, but I am chiefly concerned in the position of the Afghans to whom I would not like admittance to be denied in Aden, Palestine and Mesopotamia, where the Jewish population or those of Jewish origin are by no means insignificant since the days of their exile in Babylon. As Palestine has been set apart for the Hebrew population, it is quite immaterial whether they are Jews, Christians or Muhammadans, because being of Israelitic descent they can claim the same heritage as any other Jew. In case some assurance is forthcoming from the Government through the Honourable the Leader of this House in respect of these observations of mine I will support him whole-heartedly. Otherwise I will have the alternative of backing the amendments as they stand.

THE HONOURABLE MR. G. S. KHAPARDE (Berar Representative): Sir, I wish to support the amendment put forward by Sir Phiroze Sethna. I would not have spoken today but that unfortunately in all the papers that I read it has been said that everything that everybody has to say on this question will be taken into consideration. But we have already said it in 1921. I used to sit then in the same place that I sit in today in this House, and my friend Sir Phiroze Sethna sat very nearly where he is sitting now. We made out a representation at that time and we gave our opinion completely and without a single dissentient. What has become of that and why has this to be considered again? I cannot understand that. We have given our opinion in 1921; we have never departed from it and we have been supporting it all through, and still our opinion is wanted today. There is something suspicious about this matter and so I am going to speak. It appears to me that neither on the Government side nor on our side has the case been frankly and fully stated. I have a feeling that something is being kept back, at any rate from my point of view. My friend Sir Phiroze has been very wise in limiting the matter to the *status quo* as it stands and making it comfortable for both sides to agree. He is attempting to build a bridge between their opinion and ours. If it had been left to me I would have put the proposition a little higher. I should have said that the *status quo* as it existed before the War should be restored. It was this unfortunate war which led to this interference, and from one point to another it has come to this, that Aden is to be taken away altogether. But the fact remains that Aden is important to us in the same way as Gibraltar is important to England. So considerations of money and payments by India do not come into consideration at all. Gibraltar was also once a rock like Aden and it became valuable because England was able to protect the sea routes and her trade. So in the case of Aden. It was bare barren rock; our efforts have

made it fertile and a port has been built there and it has become a prosperous settlement and we are unwilling that any other nation should get hold of it. You might say that we are not a nation and England wants to take hold of it and so it is all right. I quite agree. England and India form at present what we in India call a joint Hindu family and England is the head of the family. But the apartments in the house are distributed to various members of the family. We have our apartments, and as the grandfather after all does not go into the rooms where his cousins live, so England has no right to come in here in this apartment which is allotted to us. So I do not understand England wanting the full control, military and civil, of this administration. After all, the Government of India is subordinate to the Government of England, and why should they want to take it away and keep it to themselves. I cannot understand it. The position is unintelligible to me. For my side I want to resist this because first of all we have not yet given up the idea of India rising one day to Dominion Status.

It has been said that this was never promised to be given, but I do not attach importance to that, because even the other day in the banquet given to His Excellency the Viceroy the words "Dominion Status" have come in again. Obviously they have not gone out of the minds of India, nor have they gone out of the minds of Indian administrators. That being so, we still look to attaining to the same position as Canada or Australia. If that is so, I want to retain this Aden still for us. It looks as if England wants this Aden even if we are raised to the position of a Dominion. That I want to prevent. I am anxious that we should retain it under all circumstances. Apart from these considerations, there is a further consideration. I do not want to answer questions which were argued here. Those questions have been answered sufficiently—the questions raised by Mr. (now Sir) Denys Bray. There were certain other points which could not be gone into. Have those points come out now? I do not see them in this communiqué. What is the good of talking about a few thousand rupees. India can afford Rs. 20 lakhs; England affords the expenditure on account of Gibraltar. In the same way we could meet it. A great point was made and today it has not been mentioned. At that time Sir Denys Bray mentioned that there is a large Muhammadan population and they will dislike being with India. I wonder if the same Muhammadan population would like to be governed by the Colonial Office? I put that question. No nation in this world likes to be governed by another and I am sure that is the case with regard to the Muhammadan population there. The position remains exactly the same. On the contrary, if they are with us it would be an advantage to them as well as to us, because here is a large Muhammadan population. They can speak and they can bring their grievances here, whereas, if the administration is transferred to Britain they will find greater difficulty in carrying their grievances there. Another thing is that it is said that the Muhammadans here are in a minority. This unfortunate ground for communalism of their being in a minority will be removed, and the question which has been agitating us will disappear. Taking all these points into account, I think it will be an advantage to keep Aden in the same position as it was before this unfortunate war and before these complications arose. We want to retain it and we do not want to give it up, no matter what it costs. Whatever it costs I am willing to pay; that is all that I wanted to add.



THE HONOURABLE MR. BIJAY KUMAR BASU (Bengal : Nominated Non-Official) : Sir, I think I owe it to myself as well as to this House to say straight off what excuse I have to intervene in this debate. I have no connection

1 P.M.  
with Aden either by consanguinity or affinity like my friends from Bombay or my friend Nawab Sir Akbar Khan who had served in Aden. The only connection I have, as a Bengali, is that I eat Aden salt, and to be true to my salt I ought to be able to say something about it. Sir, the real excuse that I have for intervening in this debate is that I am suffering from some intellectual tortures ever since I read this communiqué. First, as was very ably traversed by Sir Phiroze Sethna I find the words "geographically remote" giving me one of those tortures because when I find that we have places under the administration of the Government of India which are more or less, shall I say fortunately or unfortunately, placed in the same position as Aden. Take, for example, the island of Andamans. It is in the very same inconvenient or convenient geographical position. Geographically, the Andamans is nearer to Ceylon than to India. Why does not the Colonial Government say, "Give us the Andamans". We will be glad to make a present of it to them; we would not stand in their way. Secondly, the communiqué says that Aden will not naturally fit into the new federation. Here again the question tortures me. How can the Andamans be fitted into the federation, and if the Andamans can be fitted into the contemplated Indian federation why cannot Aden be fitted in; it is not very difficult; if you can fit in the one, you can fit in the other. Thirdly, Sir, there is the question of the conditions set out in the communiqué. Let me frankly tell the House that these conditions are not worth the paper they are typed upon. I flatter myself that I have intelligence enough to see that these conditions are nothing but words, mere empty words, for have we not seen pledges, more solemn pledges, thrown to the winds when it came to the scratch? Anyway, I for one would not attach any importance to these conditions and I would ask the House not to attach very much importance to these conditions. Assuming that these conditions will be respected let us consider the first condition, which provides for the contribution by India of Rs. 20 lakhs towards the military and political administration. I do not see why, after the declaration of 1927, when the political and military administration of Aden has been taken over by the Colonial Office, the Indian Exchequer should be charged with this sum of Rs. 20 lakhs; if the political and military administration of Aden has gone out of our hands, why should we pay this Rs. 20 lakhs? In any event, Sir, I do not see any reason why Aden which has been practically converted into a port of some importance by the labour and capital of India should be taken away without as much as paying the compensation. For 95 years India has paid the yearly contribution of Rs. 20 lakhs, and in some years as much as Rs. 50 or Rs. 60 lakhs. If the Colonial Office wants to take it away from us, why should not the Colonial Government pay us a refund of the amount that we have paid all these years, and with interest? Anyway, Sir, I gladly support the substituted motion of Sir Phiroze Sethna and strongly urge upon the House to pass that motion without any division.

THE HONOURABLE THE PRESIDENT : I understand that there are many Honourable Members who are desirous of speaking—I am told that there are at least four or five. I think therefore it would be convenient to adjourn the House now. The House stands adjourned till 2-30 P. M.

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

The Council reassembled after Lunch at Half Past Two of the Clock, the Honourable the President in the Chair.

THE HONOURABLE THE PRESIDENT. The debate will now be resumed on Sir Phiroze Sethna's substituted Motion.

THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (East Bengal: Non-Muhammadan): Sir, after the very interesting and exhaustive debate in the House today and particularly the illuminating speech of our colleague Sir Phiroze Sethna this morning in regard to the transfer of the administration of Aden nothing much is left for me to say. The rare unanimity with which this House has welcomed the proposition of Sir Phiroze makes me hopeful of the greater popularity of this House in the popular estimation. The development of animosity towards Second Chambers in the present day world is due to the halting and retrograde policy of Upper Chambers; but I am very glad to find that our House is free from this odium at least on the present occasion.

The first advantage pointed out in the Government of India communiqué is the probable saving of Rs. 20 lakhs per annum but our friend Sir Phiroze Sethna has shown that the real loss would be only Rs. 10 lakhs. While these estimates are for the future, neither our Government nor His Majesty's Government has a word to say about the loss which India sustained in the 94 years of our connection with Aden. This loss has been estimated at Rs. 15 to Rs. 18 crores. I wonder if the Government is in a position to intimate to this House the welcome news of disbursement to India of its past losses by His Majesty's Government. In the absence of any definite offer from the Home Government of making good the losses, it will be foolish to expect us to be a consenting party to this proposed transfer.

Sir, for about 100 years, from 1839 till the present day, the Government of India bore all the burdens of the civil and military administration of this barren rock. The prosperity of the present Aden is to a large extent due to the indefatigable energy and enterprise of Indian traders who have given their life's blood and all their resources to its well-being. Sir, the sad experience of Indians in the Colonies and possessions of the British Government is not such as to warrant the new transfer of Indians in Aden to the tender mercies of the Colonial Office.

With these few remarks, Sir, I fully support the original amendment of Sir Phiroze Sethna.

THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (Bombay: Non-Muhammadan): Sir, I beg to support the amendment moved by the Honourable Sir Phiroze Sethna. I do not want to repeat what has already been said in support of the amendment. I will only add that India is over-populated and any territory to which our nationals could emigrate should not be taken away from us.

So many countries which were open once to us have been closed, and Aden which we have colonised, improved and brought to its present condition of

[Sardar Shri Jagannath Maharaj Pandit.]

prosperity should not be given up by us for a paltry gain of a few lakhs of rupees. In course of time, we expect the trade of Aden to increase and even this deficit could be made up.

The reasons given in the communiqué reads like special pleading and are wholly unsatisfactory. I think, Sir, the objections to Aden remaining part of India can be easily overcome.

With these words I fully support the amendment of the Honourable Sir Phiroze Sethna.

THE HONOURABLE KHAN BAHADUR DR. SIR NASARVANJI CHOKSY (Bombay: Nominated Non-Official): Sir, a deputation of some of the delegates of the Round Table Conference waited upon the Secretary of State on the 30th May this year in connection with the question of the separation of Aden. Sir Samuel Hoare in the course of his reply was sympathetic towards Indian aspirations. He referred to the difficulty of including Aden in a federation which consisted of provinces which Aden was not. At the same time he said that the difficulty was not insurmountable. And yet the communiqué states it would not naturally fit into it; these two opinions seem to be rather inconsistent. The communiqué further emphasises the great importance of the Aden Protectorate. This question was discussed at length by Sir Denys Bray in 1921, when in the course of his reply to a Resolution protesting against the separation of Aden he made the flesh of Honourable Members creep with the unpronounceable names of some of those Imams and Chiefs who were included therein. We have, however, to recollect that 1933 is not 1921 and that the King of the Hedjaz has consolidated his power and has brought about peace where there was internecine warfare from day to day. The hinterland of Aden is thus no longer troublesome.

Coming then, Sir, to the question of the benefits that India would derive from separation. I should like to quote here the opinion of one of the former Secretaries of State for the Colonies.

The Right Honourable Mr. Winston Churchill said in the House of Commons that while India was generous enough to offer to the Colonial Office the port of Aden, he was not prepared in the interests of the British tax-payer to take over Aden unless India was prepared to bear its portion of the burden. Well, Sir, how can this be reconciled with the statement we have in the communiqué that India would be relieved of Rs. 20 lakhs payable at present? It was not that India was going to voluntarily give up Aden but that Aden was to be taken away from India whether it liked it or not, and placed under the Colonial Office!

So far as the other conditions are concerned, specially Nos. 3 and 4, the word "unless" is ominous. It is fraught with unknown contingencies. A certain change may be created and we would be confronted with it. Under that contingency the reservations would be withdrawn or whittled down. I do not believe, Sir, we can depend entirely upon the statement that "His Majesty's Government would do their utmost, etc." Promises and assurances are all right so far as they go. The difficulty arises when they have to be implemented. It is not at all unusual in the Legislatures when an interpretation

of a particular section of a Bill is made in the course of a debate assurances are given by the Government spokesmen. Once however the Bill is passed the same question again arises. We are then faced with the letter of the Act and the assurances are nowhere. Thus it is that such promises become useless unless definitely incorporated in the Act.

Then, let us now look at what the Indian merchants have done for Aden. They have established hospitals, dispensaries, schools, and provided other amenities, and they actually bear the expenses of their maintenance. They have established good relations between the various races and the British Government. Considering all these, I think that India should retain possession of the civil administration of Aden. And it is to the best interests of both India and Aden that it should be linked either with the Government of India or with the Government of Bombay.

That is all I have to say, Sir. I support the Resolution so ably moved by the Honourable Sir Phiroze Sethna.

\*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, first of all I wish to congratulate the Government on the correct attitude they have taken up in this matter. The dismemberment of the present day British India concerns clearly only two parties, the people of India and His Majesty's Government in England. I wish they would follow the precedent which the Honourable the Leader of the House has laid down today in the case of Burma, and we should have been consulted or the Burma Legislature should have been given an opportunity of giving a definite opinion on the question of separation. The federation, which is still in the melting pot, has cast a shadow first of all by the dismemberment of British India. First Burma goes, and here Aden is going. One wonders what will happen to the other territories which are not coming into the federation. I would remind the House that there is Chitral, there is Thal and the trans-border territories about which the White Paper is silent.

THE HONOURABLE THE PRESIDENT : The Honourable Member will confine himself to the question under discussion.

THE HONOURABLE MR. HOSSAIN IMAM : I was only saying that these have not been treated either as part of British India or as an Indian State and in a similar manner, Aden, even if it does not come into the category of a province or a State, could be fitted in, just as the Honourable Mr. Basu has pointed out, like the Andamans has been fitted in. The only logical result should have been that Aden should have been allowed self-government. If that position had been placed before the House, I think the opinion of the Legislatures and the Indian public would not have been so hostile as we find it today, for the transfer of Aden from ourselves to the Colonial Office is directed simply towards easing the difficulties of the British Government. I do not personally think that the British Government has any difficulty at the present moment. The real control which they want is military control. This they have at the present moment, and, as the Honourable Sir Phiroze Sethna has pointed out, the Indians are prepared to let the British Government remain in control of the

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\* Speech not corrected by the Honourable Member.

[Mr. Hossain Imam.]

military administration. The position of Aden, the Settlement and the municipality, is that it is of no extraordinary importance from the British point of view except as a coaling station for ships, and as a place where the garrison for guarding the Protectorate is kept. For these two purposes they can utilise Aden even if it is under the Government of India, because we are merely concerned with the trade and civil administration of Aden. Our interest and those of Great Britain do not clash. We have been told of the probable saving of Rs. 20 lakhs. As my Honourable friend Mr. Mehrotra has pointed out, that Rs. 20 lakhs dwindles down to Rs. 14 lakhs according to the figures that were given the other day by the Government themselves. The military expenditure was only Rs. 14 lakhs last year. Great Britain used to bear the whole of the military expenditure of Aden before the War. First of all, we were paid £72,000 as a contribution from His Majesty's Government towards the garrisoning of Aden. After that we had an agreement by which two-thirds of the military expenditure was debited to the Imperial Exchequer and one-third to the Indian Exchequer. This was made not with the consent of the people of India. It was decided by the Government of India and His Majesty's Government in England. To argue that because Great Britain had exacted from us the full expenditure in the beginning and one-third of it now therefore they have got any legal or moral right to it is bad logic. We, on our part, do not require to maintain that army for the safety of the Settlement of Aden. That army is kept there for the safety of the Protectorate, and for the safety of the trade route. That is an Imperial consideration. We have been asking times without number that the expenditure on defence debited to India is not based on equity. As a matter of fact, Great Britain ought in justice to defray all the cost of the military in Aden irrespective of whether the civil administration remains under the sway of the Government of India or the Colonial Office. For police duty, a small force will be quite sufficient to safeguard the interests, and it is no argument that we will save money, because there is no real saving. There is a strong suspicion in our minds. Why should a Government, which has always been so careful to safeguard its economic interests, come out of its way all of a sudden and seek to shoulder all the burden of this expenditure when it did not do so in the beginning? The Honourable Sir N. Choksy has read out Mr. Winston Churchill's opinion in 1921. Probably the British Government was prepared to take over Aden only on condition that India should continue to pay her quota of the expenditure. Now, all of a sudden, the nation of shopkeepers is willing to take up a losing concern. It would be insulting the intelligence of the English people if I thought it was going to be a losing concern. As the figures pointed out by my Honourable friend Mr. Mehrotra have shown, the expenditure is going down and the income is going up, and the military expenditure is also on the down grade. This shows that people who have got a far sight see at not a very distant future some better prospects in Aden. Therefore, it will be unwise, after having spent so much money in the development of the town itself to hand it over to the Colonial Office. One thing about the Colonial Office which strikes India with terror is its attitude of complete callousness towards the interests of the natives. In all the Colonies of Great Britain we find that the natives are in a very bad condition. Take the case of Australia. There are no natives remaining there. In South Africa we find

that the natives are very badly treated. The Colonies are meant primarily for the well-being of the nationals of England and we have a very bitter experience of our brethren in Natal, Kenya and other places.

To be forewarned is forearmed. His Majesty's Government are the masters. They can do anything they like, but they cannot compel us to be willing partners to a deal in which we see nothing but loss to India, loss of prestige, economic loss as well as sentimental loss.

Sir, one thing which strikes me is the strong-statement which Sir Denys Bray made in the Assembly in 1929. He is still in the Council of the Secretary of State for India. I hope, Sir, that at least he has argued the point with the Secretary of State and has borne out the words he used here :

“ I hasten to add that all idea of such a transfer has long since been abandoned ”.

If Sir Denys Bray has not done so till now, let us hope that it is not too late for him to make amends. The transfer of Aden is called for more as a measure of precaution than as a measure of necessity. I think the reason for desiring its transfer is that the British Government has no trust in the future Government which is going to be established in India. If they could feel that the interests of the British Empire would not be jeopardised by the future Government of India they would I am sure consent to let Aden remain a part of India. I wish to assure the British Government that the interests of Great Britain will not be unsafe in the hands of the Legislatures in India, because we have to lose more by alienating the sympathies of the British Government than any losses we can inflict on them. In my opinion, Sir, this is a most inopportune moment to have brought up this idea of transfer. People have been exasperated on account of the delay in framing the new reforms. Over and above that this dismemberment of parts of the Indian Empire is beginning to create nervousness.

With these few words, Sir, I support the amendment.

**THE HONOURABLE THE PRESIDENT :** The original Motion moved was :

“ That the Government of India communiqué, dated the 20th June, 1933, regarding the future administration of Aden be taken into consideration ”.

to which a substituted motion has been moved :

“ This Council after duly considering the Government of India Press communiqué of 20th June, 1933, submits that whilst no longer objecting to the transfer to Imperial control of the political and military administration of Aden as it exists at present, it is definitely of opinion that its civil administration should be continued with the Government of India or if thought necessary should be retransferred to the Government of Bombay, but that such civil administration should not be transferred to the Colonial Office ”.

The question is :

“ That the substituted motion be adopted ”.

The motion was adopted.

**MOTION RE LEVY IN BRITISH INDIA OF DUES IN RESPECT OF  
LIGHTHOUSES, ETC.**

**THE HONOURABLE MR. T. A. STEWART (Commerce Secretary) :** Sir, I beg to move :

“ That this Council do signify its opinion in pursuance of sub-section (2) of section 670 of the Merchant Shipping Act, 1894 (57 and 58 Viet. Ch. 60) that the dues imposed by the Order in Council of His Majesty, dated the 17th December, 1931, in respect of the lighthouses and buoy specified in the Schedule thereto ought to be levied in British India.”

This, Sir, is a somewhat unusual motion and with your permission I shall try to explain its significance. The lighthouses and the buoy referred to are situated in the West Indies in the vicinity of Bahamas and the Leeward Islands. These lights were built many years ago at the expense of the British Government at a time when the West Indian Colonies concerned could not themselves raise the necessary funds. Since then the cost of maintaining the lights has been borne by the General Lighthouse Fund, a fund which derives its revenue from light dues collected in the ports of Great Britain, Northern Ireland and the Irish Free State. The cost has therefore hitherto been borne by the general mass of shipping using the ports of the British Isles and there has been no specific levy of light dues on the ships which actually derive benefit from these lights. In time these lights have become obsolete and in the past few years a scheme for their improvement has been in progress. This scheme will involve a considerable increase in maintenance costs and it was felt by His Majesty's Government that the time had arrived when the ships which actually got the benefit of the lights should contribute towards the cost of their upkeep. The levy of Colonial light dues in respect of lighthouses—such as these in question—on the coasts of any British Colony is governed by section 670 of the Merchant Shipping Act, copies of which I think are in the hands of Honourable Members. Under that section His Majesty, by an Order in Council, may fix the dues to be paid in respect of ships deriving benefit from such lights, and when an order has been made the dues at once become leviable everywhere throughout His Majesty's Dominions. In virtue of this power, and with the full approval of the shipping interests mainly concerned, an Order in Council was made on the 17th December, 1931 which fixed the dues to be paid in respect of the Bahamas lights at one penny per ton of registered tonnage and at the rate of one half-penny per ton in respect of the Leeward Islands light. The Board of Trade have now asked for the cooperation of the Government of India in the collection of these dues at Indian ports. These light dues will be leviable on any ship which may have incurred a liability by deriving benefit from the lights in the course of its voyage to India, or on any ship which will incur such a liability on leaving India for a foreign port. The Government of India are prepared to cooperate and to make arrangements to collect through the Customs authorities any dues that may be leviable from ships arriving in Indian ports, but in order to legalise this collection it is necessary, in accordance with the terms of sub-section (2) of section 670 of the Merchant Shipping Act, that the Indian Legislature should signify its consent, and this consent may conveniently be expressed in the form of the motion now standing in my name if accepted by both Houses of the Legislature. In recommending this motion for acceptance I would point out that the proposal to collect light dues in respect of Colonial lights is not without

precedent. We have, not far from the coast of India, the Basses lights and the Minicoy light, in respect of which for many years the Indian Customs authorities have been collecting light dues. It may be asked whether acquiescence in the proposal of the Board of Trade may not involve the Government of India in a disproportionate amount of labour and expense. I think I can assure Honourable Members of the House that the collection of dues in respect of

3 P.M. the Bahamas and Leeward Island lights will impose no very great burden on our Customs administration. So far as we know there is only one regular line sailing between India and the West Indies and that, I think, not a very important one. There may be a few cases of ships such as oil tankers from the Mexican Gulf and of ships making for the East through the Panama Canal which may call at Indian ports, but I think we may take it that these occasions will be infrequent. As far as expense is concerned, it is not asked that we should perform the work of collection for nothing. It has been agreed that we shall be allowed a commission of  $7\frac{1}{2}$  per cent. on all collections. India has been asked to make a comparatively small contribution to an organisation which provides for the safety of ships of all nations at sea and I feel confident that this Honourable House will readily signify its agreement.

Sir, I move.

The motion was adopted.

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THE HONOURABLE THE PRESIDENT: At the meeting of this Council on the 29th I announced that nominations for the Standing Committees for subjects other than "Roads" and "Broadcasting" dealt with in the Department of Industries and Labour and for subjects dealt with in the Department of Commerce will be received up to 11 A.M. on Monday, the 4th September. Through inadvertence I mentioned the 4th September instead of the 6th. I now inform Honourable Members that the nominations will be received till 11 A.M. on Wednesday, the 6th September.

The Council will now adjourn.

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The Council then adjourned till Eleven of the Clock on Monday, the 4th September, 1933.