

25th January 1930

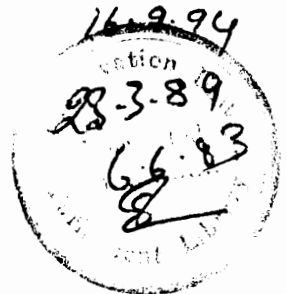
THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume I, 1930

(20th January to 24th February, 1930)

SIXTH SESSION
OF THE
THIRD LEGISLATIVE ASSEMBLY, 1930

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1930

Legislative Assembly.

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THE HONOURABLE MR V. J. PATEL.

Deputy President :

MAULVI MUHAMMAD YAKUB, M.L.A.

Panel of Chairmen :

PANDIT MADAN MOHAN MALAVIYA, M.L.A.

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

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

Secretary :

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

Assistant of the Secretary :

RAI SAHIB D. DUTT.

Marshal :

CAPTAIN SURAJ SINGH BAHADUR, I.O.M.

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LEGISLATIVE ASSEMBLY.

Saturday, 25th January, 1930.

ADDRESS BY HIS EXCELLENCY THE VICEROY TO THE MEMBERS OF THE LEGISLATIVE ASSEMBLY.

H. E. the Viceroy: Gentlemen of the Assembly, I was unable, owing to my absence from Delhi, to greet you at the opening of your Session, but I desire now to offer you a cordial welcome to your labours and to express the hope that harmony and goodwill may attend your deliberations.

I regret that it was not possible for me to address both Houses of the Legislature this morning. That however would have involved either inconvenience to Honourable Members of the Council of State by summoning them to Delhi earlier than was justified by circumstances, or undue postponement of the opportunity of speaking in this place. I do not propose to make detailed reference to the programme of work that lies before you. Your attention this Session will be directed chiefly to the Budget, and the only preface I would wish to make to my more general observations is a brief allusion to matters that do not immediately concern the internal affairs of India.

Peace reigns on our borders. But for two of our neighbours the past year has been eventful. Nepal has suffered the loss of her distinguished Prime Minister, His Highness Sir Shumshere Jung, whose fame as a wise and progressive statesman had travelled far beyond the confines of his own country. India shares Nepal's sorrow in her bereavement, but shares also her gratification that the reins of office have fallen into the hands of so sagacious and well-tried an administrator as Sir Bhim Shumshere Jung, to whom we wish all success in the high duties which he now finds himself called upon to discharge.

It is a great satisfaction to India that Afghanistan has found a happy issue out of her recent calamities in the accession of His Majesty King Muhammad Nadir Shah. His Majesty carries with him our warmest wishes and goodwill, and I have every confidence that under his wise guidance Afghanistan will speedily enter upon a new era of prosperity, and that the ties of friendship which unite our two neighbouring countries will be maintained with ever-increasing strength and mutual trust.

The question of the future Government of Eastern Africa is now being considered by His Majesty's Government, on whom my Government have impressed the keen interest evinced in this question by all communities in India, and the importance of having due regard in their treatment of this matter to legitimate Indian feeling. I am glad to acknowledge publicly the valuable help which the Government of India have received from the Indian Legislature in this connection, and to give the assurance that it will always be our endeavour to champion the just cause of Indians overseas by all constitutional means open to us and in harmony with enlightened Indian opinion.

[H. E. the Viceroy.]

I much regret that sudden and serious illness has compelled Sir Kurma Venkata Reddi, our Agent in South Africa, to return to India. During the time he has held his post, Sir Kurma has amply justified his selection to this important office, and the House will, I am sure, join me in hoping that a speedy recovery may enable him before long to resume his work.

I must now deal with some features of the political situation, which has lately been engaging public attention.

On my return to this country from England, it was my duty to make a statement on behalf of His Majesty's Government. That statement stands as I made it, and indeed in the light of the appreciation which I had formed of the principal elements of the problem with which we all have to deal, and with a full knowledge of the weight that must necessarily attach to the considered opinion of anyone holding my present office, I should have felt that I had failed in my duty both to India and Great Britain, if I had tendered any different advice to His Majesty's Government, and when His Majesty's Government saw fit, as they did, to enjoin me to make an announcement on their behalf, I could have chosen no different language in which to make it.

The intention of my statement, of which I believe the purport to have been unmistakable, and which carried the full authority of His Majesty's Government, was to focus attention on three salient points. Firstly, while saying that obviously no British Government could prejudge the policy which it would recommend to Parliament after the report of the Statutory Commission had been considered, it re-stated in unequivocal terms the goal to which British policy in regard to India was directed. Secondly, it emphasised Sir John Simon's assertion that the facts of the situation compel us to make a constructive attempt to face the problem of the Indian States, with due regard to the Treaties which regulate their relations with the British Crown; and, lastly, it intimated the intention of His Majesty's Government to convene a Conference on these matters before they themselves prejudged them by formulation of even draft conclusions.

I have never sought to delude Indian opinion into the belief that a definition of purpose, however plainly stated, would of itself, by the enunciation of a phrase, provide a solution for the problems which have to be solved before that purpose is fully realised. The assertion of a goal, however precise its terms, is of necessity a different thing from the goal's attainment. No sensible traveller would feel that the clear definition of his destination was the same thing as the completion of his journey. But it is an assurance of direction, and in this case I believe it to be something of tangible value to India that those who demand full equality with the other self-governing units of the British Commonwealth on her behalf should know that Great Britain on her side also desires to lend her assistance to India in attaining to that position. The desire of most responsible opinion in India and that of His Majesty's Government is thus the same, and where unity of purpose is so assured we ought surely to be prepared to approach the practical difficulties with greater hopefulness. For my own part, if I am satisfied that someone with whom I have business to transact desires the same end as myself, I feel the better able to discuss any honest difference that may emerge between us, as to the means of its complete attainment, with a feeling of confidence that on the main purpose we do not differ.

Although it is true that in her external relations with other parts of the Empire India exhibits already several of the attributes of a self-governing Dominion, it is also true that Indian political opinion is not at present disposed to attach full value to these attributes of status, for the reason that their practical exercise is for the most part subject to the control or concurrence of His Majesty's Government. The demand for Dominion Status that is now made on behalf of India is based upon the general claim to be free from that control, more especially in those fields that are regarded as of predominantly domestic interest. And here, as is generally recognised, there are real difficulties internal to India, and peculiar to her circumstances and world position, that have to be faced, and in regard to which there may be sharp variation of opinion both in India and in Great Britain. The existence of these difficulties cannot be seriously disputed, and the whole object of the Conference now proposed is to afford opportunity to His Majesty's Government of examining in free consultation with Indian leaders how they may best, most rapidly, and most surely be surmounted.

The Conference which His Majesty's Government will convene is not indeed the Conference that those have demanded, who claimed that its duty should be to proceed by way of majority vote to the fashioning of an Indian Constitution which should thereafter be accepted unchanged by Parliament. It is evident that any such procedure would be impracticable and impossible of reconciliation with the constitutional responsibility that must rest both on His Majesty's Government and upon Parliament. But though the Conference cannot assume the duty that appertains to His Majesty's Government, it will be convened for the purpose hardly less important of elucidating and harmonising opinion, and so affording guidance to His Majesty's Government, on whom the responsibility must subsequently devolve of drafting proposals for the consideration of Parliament. It is thus evident that the intrinsic soundness of any particular proposals made, and the manner in which the argument for them is presented, will be more important factors in the Conference than the exact numerical representation enjoyed by any of the different sections of opinion that will participate in the proceedings.

I do not now pronounce between the alternative methods by which the British Indian Delegation to the Conference might be selected. It is safe to assume that the only desire of His Majesty's Government will be that this body should, so far as it may, be honestly and fairly representative of all opinion in India which can legitimately claim to be heard. In discussions where Central and Provincial issues must interact closely upon one another, many will no doubt be anxious that effective voice should be given to the Provincial, as well as to the All-India, point of view. There is no lack of men well equipped to deal with these several aspects of the problem, but while those who attend the Conference should clearly be men who command the full confidence of those they represent, I trust that they will also be men of wide vision, strong judgment and imbued with the single desire of utilising the occasion for the common good of all the people of India. I have as yet tendered no advice to His Majesty's Government on this matter of composition of the Conference, and before doing so I shall welcome any informal intimation of their views that Honourable Members of the Legislature, or spokesmen of different interests in the country, may be willing to place before me.

[H. E. the Viceroyn.]

Nor has it yet been possible to decide upon a date for the Conference, for this must depend upon certain factors which are still indefinite. It appears probable that the Imperial Conference will be held in the autumn of this year, and this no doubt will have to be one of the considerations present to the mind of His Majesty's Government when they fix the date for the Indian Conference. And, as I stated in my announcement, after the publication of the Report of the Statutory Commission, it will be necessary to give His Majesty's Government, the Government of India, Local Governments, the Princes and general public opinion reasonable time to study the complicated questions with which the Report will deal. Subject to these practical necessities of fact His Majesty's Government will desire to hold the Indian Conference as early as possible, and so far as they are concerned will interpose no avoidable delay. It is further the wish of His Majesty's Government to meet, in so far as it is possible, the wishes and convenience of the Indian representatives themselves in this matter, and it will therefore be valuable to me to have the views of Honourable Members and others on this point also.

That brings me to another subject which is closely connected with the time-table of the Conference. Honourable Members will recall that I announced my intention last May of extending the life of the Assembly, because according to our expectations at that time it seemed likely that the elections would otherwise be held on the eve of the publication of the Reports of the Statutory Commission and of the Indian Central Committee, and I considered that the uncertainty which must result from the speculation as to the possible recommendations of these bodies could not fail to be embarrassing both to candidates and voters. At the same time I have never thought that it would be right to deny the electorate all opportunity of expressing its views on these matters during the period, necessarily protracted, that must elapse before the final establishment of a new constitution. I have accordingly decided that elections should be held so as to permit the meeting of a new Assembly for the next Delhi Session, and my recent order extending the life of the present Assembly to July 31st of this year was determined by the desire to leave it open to decide finally upon the date of the elections as may subsequently be found to be generally convenient, having regard to the date ultimately fixed for the Conference in London.

Let us now picture to ourselves a Conference, such as we may hope to see established, in actual operation. It will be an assemblage of men of varying race, religion and political thought; it will, by the inclusion of the Indian States, be both an expression of the practical links at present uniting the two parts of India and, as we may trust, an augury of the greater unity that future days may come to witness. At the Conference table, along with all those representatives of India, will be those who represent Great Britain, and in view of the unique character of the gathering, I would hope that, when his other preoccupations may permit, it might be possible for the Prime Minister to preside in person over its deliberations. Those taking part in the proceedings will be completely free to advocate any proposals for the realisation of Great Britain's professed policy that they may desire to advance. They will do this, if I may repeat the words of my announcement, "in the light of all the material then available"—a definition purposely drawn wide enough to ensure to the Conference every

latitude and assistance in the responsible task upon which it will be engaged. It is surely no small thing that the claim of India to take a constructive part, without restriction and without prejudice, in the evolution of the new constitution should have been thus recognised by those on whom the final constitutional obligation must rest. The action of His Majesty's Government may indeed fairly be said to have created a new situation. If the fundamental problem remains the same, their action affords to India, as it does to Great Britain, the occasion of making a new approach to it, under conditions honourable to all, and in such form as should permit every type of opinion to contribute to its solution.

I had greatly hoped that leaders of Indian opinion would have been unanimous in accepting the hand of friendship proffered by His Majesty's Government, and so taken advantage of an opportunity unprecedented in India's history. All history is the tale of opportunities seized or lost, and it is one of its chief functions to teach us with what fatal frequency men have allowed opportunities to pass them by, because it may be that the opportunity presented itself in a form different from that which they had expected or desired. And history, it seems, is in danger of repeating itself today in certain quarters of India. There are some who have accustomed themselves to believe that the only thing necessary to place India in the position they long to see her fill is some simple action by Great Britain, and who are therefore tempted to regard Great Britain as the only obstacle to the full and immediate realisation of their hopes. Yet, without undervaluing the part Great Britain has to play in these matters, I believe that at this moment the future well-being of India, as also the rate of her political progress, depends far more profoundly upon what her public men can achieve for her in the welding into true unity the different elements that compose her being and represent the sum of her political thought, than upon anything, that His Majesty's Government or anybody else outside India may be able to do.

I am not careful to analyse the purpose of those who, at a critical stage in India's history, would counsel her to reject the way of reason which may persuade and convince in favour of destructive methods, the danger and futility of which she has already experienced in operation. But I am bound to make two things very clear. The first is this. I have striven hard, not I think without result, to secure recognition of what I felt to be the just claims of India at the hands of Great Britain, and at the same time to pursue a policy of day-to-day administration in India that might not needlessly imperil any chance there might be of guiding the ship carrying a precious freight of India's future into smoother waters. It has not therefore been the policy of my Government that prosecutions for seditious speech should be extended beyond those cases where the language used, or the circumstances of its employment, constituted an incitement to violence, or made it necessary to regard the speech as incidental to a movement directed to the subversion of law and of the authority of Government. It has however recently been announced that the immediate goal of some who claim to represent India is repudiation of the allegiance to the British Crown. It has further been made clear that those who desire to achieve that goal contemplate resort to the unconstitutional and unlawful methods of civil disobedience, and with reckless disregard of consequences, public profession has been made of the intention to refuse recognition of India's financial obligations, to

[H. E. the Viceroy.]

which her credit has been pledged. I am confident that the great preponderance of Indian opinion, which is both loyal and sane, will, when it understands its implications, condemn decisively a programme, which could only be accomplished through the subversion of the Government by law established, and which would strike a fatal blow at India's economic life. It is evident that there are already some who regard violence, whether of individuals or of mobs, as the speediest and most effective solvent of political problems. Between such persons and all who believe in ordered society based upon the sanctity of life and respect for property and other lawful rights and interests, there can be no composition and no truce. And although the very authors of the present policy deprecate, some on grounds of principle and some on grounds of expediency, resort to violence, they can hardly be so lacking in either imagination or recollection of past events in India as not to be able to picture the results in this direction which must follow, as they have always followed, from the adoption of the policy they recommend. It remains my firm desire, as it is that of His Majesty's Government, following the recently professed wish of the British House of Commons, to do everything that is possible for conciliation in order that Great Britain and India may collaborate together in finding the solution of our present difficulties. But it is no less incumbent upon me to make it plain that I shall discharge to the full the responsibility resting upon myself and upon my Government for the effective maintenance of the law's authority, and for the preservation of peace and order. And in the fulfilment of this duty I do not doubt that I should have the full support of all sober citizens.

The second thing I would point out is that, in any case, the Conference will be formed. The fact that some decline to take any part in deliberations so closely affecting their country's future only throws greater responsibility upon, and I would add, gives wider opportunity to, those who are prepared to face and solve difficulties in a constructive spirit. It is certainly no reason why His Majesty's Government should be deflected from their declared intention to call representatives of India to their counsels.

I entertain no doubt but that those who will go to the Conference from British India will be men who can speak authoritatively for the several component parts of the great volume of Indian public opinion which they will represent. To all that body of opinion I would say that, if India's case is to have full weight at the Conference, it is of the utmost importance that no efforts should be spared to enable it to find expression with something like unanimity. I do not apologise for dwelling upon this imperative necessity. From the time I first came to India, now nearly four years ago, I have laboured in public and in private to use such influence as I might possess in the way of assisting British India to win true peace among her own people, and so strengthen herself immeasurably before the eyes of the world. I would accordingly hope most earnestly that the leaders of all those who will be represented at the Conference may realise that no duty to which love of their motherland may impel them can transcend in dignity or worth this call to unity, and that they may utilise wisely the interval before the Conference in training the ears of their countrymen to hear it.