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THE
LEGISLATIVE ASSEMBLY DEBATES

Report)

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(21st January to 18th February, 1935)



FIRST SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,
1935



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1935

Legislative Assembly.

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RAJA SIR VASUDEVA RAJAH, KT., C.I.E., M.L.A.

MR. N. M. JOSHI, M.L.A.

CONTENTS.

VOLUME I.—21st January to 18th February, 1935.

	PAGES.		PAGES.
MONDAY, 21ST JANUARY, 1935—		THURSDAY, 24TH JANUARY, 1935—contd.	
Message from His Excellency the Governor General	1	Agreement between His Majesty's Government in the United Kingdom and the Government of India	99—103
Members Sworn	2—7	Statements laid on the Table	103—06
Deaths of Sir Abdulla Suhrawardy, Mr. M. V. Abhyankar, Mr. B. N. Sasmal, Mr. Price and Rai Bahadur Lala Brij Kishore	7—13	Election of the President	106—11
Statements laid on the Table	13—41	Statement of Business	111
Motion for Adjournment re Confidential Circular issued by the Home Department of the Government of India on the decisions of the Bombay Congress—Talked out	41—44, 46—74	Speech delivered to the Legislative Assembly by His Excellency the Viceroy	112—22
Election of the Standing Finance Committee	44	MONDAY, 28TH JANUARY, 1935—	
Election of the Standing Finance Committee for Railways	44—45	Members Sworn	123
Election of the Standing Committee for Roads	45	Motions for Adjournment re—	
Election of two Members to serve on the Reserve Bank of India (Issue and Allotment of Shares) Committee	45—46	Action of the Government of India in concluding the Indo-British Trade Agreement without consulting any Indian Mercantile Organisations—Not moved	123
TUESDAY, 22ND JANUARY, 1935—		Refusal of Permission to Mr. Sarat Chandra Bose to attend the Session of the Legislative Assembly—Not moved	123—24
Member Sworn	75	Governor General's assent to Bills	124
Motion for Adjournment re Prevention of Mr. Sarat Chandra Bose from attending to his duties as a Member of the Legislative Assembly—Adopted	75—76, 77—98	Election of the Deputy President	124—25
The Indian Mines (Amendment) Bill—Introduced	76	Election of Members to the Standing Committee for Roads	125
The Indian Naturalization (Amendment) Bill—Introduced	76—77	Statements laid on the Table	125—29
THURSDAY, 24TH JANUARY, 1935—		Election of the Standing Committee on Emigration	129
Members Sworn	99	Election of the Standing Committee for the Department of Education, Health and Lands	129
Motions for Adjournment	99	Election of the Standing Committee on Pilgrimage to the Hedjaz	129—30
		Election of the Standing Committee for the Department of Industries and Labour	130

	PAGES.		PAGES.
MONDAY, 11TH FEBRUARY, 1935—contd.		WEDNESDAY, 13TH FEBRUARY, 1935—contd.	
Motion for Adjournment <i>re—contd.</i>		The Code of Civil Procedure (Amendment) Bill (Amendment of section 51)—Introduced	745
Decision of the Government of India to disregard the verdict of the Assembly on the Indo-British Trade Agreement—Ruled out of order	628—32	The Code of Civil Procedure (Second Amendment) Bill—Insertion of new section 44A)—Introduced	765—66
Committee on Petitions	632	Resolution <i>re</i> Draft Convention of the International Labour Conference concerning the regulation of hours of work in automatic sheet-glass works—Adopted as amended	766—91
Resolution <i>re</i> Prevention of importation of foreign rice—Adopted as amended	632—52	Resolution <i>re</i> Draft Convention of the International Labour Conference concerning unemployment insurance and other forms of relief—Discussion not concluded	791—806
Resolution <i>re</i> Removal of disqualification in respect of Pandit Dwarka Parshad Misra and Chowdhury Ashrafuddin for election as a Member of the Legislative Assembly—Adopted	652—64		
Resolution <i>re</i> Revision of the taxation policy—Discussion not concluded	664—71		
TUESDAY, 12TH FEBRUARY, 1935—		THURSDAY, 14TH FEBRUARY, 1935—	
Questions and Answers	673—711	Questions and Answers	807—47
Statements laid on the Table	711—14	Short Notice Question and Answer	847
The Indian Criminal Law Amendment (Repeal) Bill—Introduced	714—15	Election of the Standing Committee on Pilgrimage to the Hedjaz	847
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 103)—Introduced	715	Election of the Standing Committee for the Department of Industries and Labour	847
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 408)—Introduced	715	Resolution <i>re</i> Revision of the taxation policy—Adopted as amended	847—88
The Code of Criminal Procedure (Amendment) Bill (Repeal of sections 30 and 34 and Amendment of sections 34A and 35)—Introduced	716		
WEDNESDAY, 13TH FEBRUARY, 1935—		MONDAY, 18TH FEBRUARY, 1935—	
Questions and Answers	717—50	Questions and Answers	889—928
Unstarred Questions and Answers	750—64	Short Notice Question and Answer	928—29
Election of the Standing Committee for the Department of Commerce	764	Motion for Adjournment <i>re</i> Removal of ban from the All-India Hindustani Seva Dal and the Prem Maha Vidyalaya, Brindaban—Ruled out of order	929—31
Election of the Standing Advisory Committee for the Indian Posts and Telegraphs Department	764	Message from H. E. the Governor General	931
The Payment of Wages Bill—Introduced	765	Presentation of the Railway Budget for 1935-36	932—38

	PAGES.		PAGES.
MONDAY, 18TH FEBRUARY, 1935—<i>concl.</i>		MONDAY, 18TH FEBRUARY, 1935—<i>concl.</i>	
Election of Members to the Governing Body of the Indian Research Fund Association	938	The Code of Civil Proce- dure (Amendment) Bill (Amendment of section 51)—Circulated	939—60
The Code of Civil Procedure (Third Amendment) Bill (Amendment of section 60)—Introduced	939	The Payment of Wages Bill —Discussion on the mo- tion to refer to Select Committee not conclud- ed	960—70

LEGISLATIVE ASSEMBLY.

Wednesday, 6th February, 1935.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. Abdul Matin Chaudhury (Assam: Muhammadan): May I suggest, Sir, that for today and tomorrow the question hour be dispensed with to enable the Honourable Members to have more time to discuss the Joint Parliamentary Committee Report?

Mr. President (The Honourable Sir Abdur Rahim): Questions will go on today. If we cannot finish the business in time, then we will consider whether the questions should be dispensed with tomorrow.

QUESTIONS AND ANSWERS.

INTRODUCTION OF THE STATUTORY RAILWAY BOARD BILL IN THE LEGISLATIVE ASSEMBLY.

21. Mr. Lalchand Navarai: Will Government be pleased to state if they intend to introduce the Statutory Railway Board Bill during this Session of the Legislative Assembly? If not, when will it be introduced, and why is it being delayed?

The Honourable Sir Joseph Bhoré: Government do not propose to introduce a Statutory Railway Authority Bill during this Session and are unable to say when they will be in a position to do so.

Dr. Ziauddin Ahmad: Will it be necessary to introduce any Bill at all for the Statutory Railway Board in view of the Government of India Bill?

The Honourable Sir Joseph Bhoré: That is a matter of opinion.

Dr. Ziauddin Ahmad: I am asking the Government whether in view of the Government of India Bill, they are contemplating to introduce any Statutory Railway Board Bill at all or not?

The Honourable Sir Joseph Bhoré: I said that was a matter of opinion.

Dr. Ziauddin Ahmad: I am asking for facts—whether the Government of India are contemplating to introduce the Bill? Will they do it?

The Honourable Sir Joseph Blore: As at present advised, I think they will.

Mr. S. Satyamurti: May I know if the Government of India were consulted as to putting the Statutory Railway Board into the Government of India Bill and not leaving it to this House?

The Honourable Sir Joseph Blore: Will the Honourable Member kindly repeat his question?

Mr. S. Satyamurti: May I know if the Government of India were consulted before the Statutory Railway Board provision was put in the Government of India Bill and the matter was not left to be legislated upon by this House?

The Honourable Sir Joseph Blore: I am not in a position to disclose on what matters the Government of India were consulted and on what matters they were not consulted.

Mr. S. Satyamurti: I am only asking

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member has answered the question.

Mr. S. Satyamurti: May I ask, then, what the Government of India now think, in view of the provisions in the Government of India Bill, are the subjects on which they propose to introduce the Statutory Railway Board Bill here?

The Honourable Sir Joseph Blore: If my Honourable friend will wait and consider the Bill if it is introduced, he will then realise what are the subjects which will be dealt with in the Bill.

Mr. V. V. Giri: Are the Government of India aware that public opinion and labour opinion is against the introduction of the Statutory Railway Board?

The Honourable Sir Joseph Blore: I am not aware of that, but I am quite prepared to take it from my Honourable friend.

NON-EMPLOYMENT OF A SIKH IN THE OFFICES OF THE DIRECTOR GENERAL, INDIAN MEDICAL SERVICE AND THE DIRECTOR GENERAL OF ARCHAEOLOGY.

43. ***Sardar Sant Singh:** Is it a fact that there is no Sikh employed either in the permanent establishment or temporary establishment in the offices of:

(a) the Director General of Indian Medical Service, and

(b) the Director General of Archaeology?

If so, why?

Mr. G. S. Bajpai: I would refer the Honourable Member to the reply given to part (a) of his starred question No. 240 on the 31st August, 1933. There has been no change since.

REDUCTION OF WAGES IN CERTAIN FACTORIES.

44. ***Dr. Ziauddin Ahmad:** (a) Are Government aware that some factories in India have reduced their wages on the ground that in the revised Factories Act the hours of labour per week have been reduced?

(b) What are the names of such big factories?

(c) What action, if any, did Government take on such measures?

(d) Is it not a fact that such action on the part of mill owners defeats the very purpose of the revised Factories Act?

The Honourable Sir Frank Noyce: (a) and (b). I am not in possession of full particulars for large factories in India, but in respect of those important groups of which I have information it does not appear to be a fact that reductions in rates of wages have been made on the ground that working hours have been reduced. In July last the Bombay Millowners' Association formulated a scheme designed to safeguard time-workers against any decrease in wages on the introduction of the shorter week and to allow piece-workers an increase in their dear food allowance to compensate them for their probable loss in earnings. An all-round reduction in wages was recently the subject of an agreement in Ahmedabad mills, but, I think I am right in saying, that the reduction in the rates did not arise directly out of the change in hours. Where piece-rates are in force the workers' earnings are bound to be diminished by a reduction in hours unless the rate of wages or the rate of production is increased.

(c) None.

(d) Does not strictly arise. But as I stated in my speech, in this House, on the 17th July last, Government fully recognized that shorter hours must in some cases involve some sacrifice on the part of the workers.

Mr. N. M. Joshi: May I ask whether the Government are aware that, in the United States of America, President Roosevelt has insisted, not only upon the reduction of the hours of work, but also upon wages being increased?

The Honourable Sir Frank Noyce: Yes, Sir, and I am also aware of the results so far achieved by that experiment.

Mr. N. M. Joshi: May I ask that, on account of the results so far achieved, the Government of India will follow the example of President Roosevelt?

The Honourable Sir Frank Noyce: Certainly not.

DESTRUCTION OF CERTAIN PUBLICATIONS BY THE CENTRAL PUBLICATION BRANCH.

45. *Qazi Muhammad Ahmad Kasmi: (a) Is it a fact that some Government publications including *Quinquennial Reviews on the Progress of Education in India* are to be destroyed by the Central Publication Branch after the 15th January, 1935?

(b) Will Government be pleased to state if any attempts were made:

(i) to sell them at low price, or

(ii) to give an opportunity to various libraries and educational institutions in the country to get them free of cost, before the order of their destruction?

(c) If the reply to part (b) be in the negative, will Government be pleased to give reasons for the order of destruction in preference to their free distribution?

The Honourable Sir Frank Noyce: (a) Yes.

(b) (i) No.

(ii) Yes.

(c) Does not arise.

DUMPING OF RICE INTO THE MADRAS PRESIDENCY.

46. *Prof. N. G. Ranga: (a) Will the Honourable the Commerce Member be pleased to state: (i) the annual net exports of rice from the Madras Presidency, and their value since 1914; and (ii) the total acreage of paddy, its production in the Madras Presidency and also in the whole of India since 1914?

(b) Is the Honourable the Commerce Member aware of the fact that foreign rice is being dumped by land in the first instance into Burma and thence into Southern India?

(c) Will the Honourable the Commerce Member be pleased to state (i) the quantities of rice imported in every quarter into the Madras Presidency during the last three years; and (ii) the prices of paddy obtaining in Tanjore, Madras, Coimbatore, Bangalore, Bezwada, Cocanada and Vizagapatam centres during that period as compared to the prices in 1918-14 and 1919-20?

(d) Is the Honourable the Commerce Member aware of the fact that the prices of paddy had been adversely affected by the dumping of foreign paddy, and if so, what has been the effect thus produced during the successive half-years in the last three years?

(e) Is the Honourable the Commerce Member aware of any representations, asking for legislation to stop this dumping, made to the Government

of Madras through the District Collectors, by peasants during the Peasants' Weeks in March and November, 1933, and also through resolutions passed in their conferences in December, 1934?

(f) Will the Honourable the Commerce Member be pleased to state (i) when and what representations have been received by him from the Madras Government and addressed by them to the Governments of Siam and other countries from which rice is imported into Southern India; and (ii) the stage reached by negotiations, if any, so far carried on with the foreign governments concerned?

(g) Will he be pleased to place on the table of this House the correspondence between the Government of India and the Government of Madras and also that between the Government of India and the foreign governments concerned?

(h) Will the Honourable the Commerce Member be pleased to state if the Government of India intend taking any legislative or administrative action to stop this dumping of rice into the Madras Presidency, and if so, what action is proposed to be taken and when?

Mr. G. S. Bajpai: With your permission, Sir, I shall answer this question.

(a) (i) A statement is laid on the table.

(ii) The Honourable Member will find the information in a publication of the Department of Commercial Intelligence and Statistics entitled "Estimates of Area and Yield of Principal Crops in India", copies of which are in the Library of the House.

(b) Government have no information.

(c) (i) and (ii). Statements are laid on the table.

(d) Government have received representations to this effect but the exact interaction of imports on prices is difficult to determine.

(e) The Government of India have no information on the subject, but are prepared to accept the implication of the Honourable Member's question that representations have been made to authorities in Madras and that resolutions have been passed.

(f), (g) and (h). The whole question is under the consideration of Government and I regret that the question of publishing the correspondence referred to by the Honourable Member cannot be considered until the main problem has been dealt with.

I.—Net Exports of Rice and Paddy by sea from Madras Presidency (including Coastal Trade.)

Year.	Rice not in the husk.		Rice in the husk (paddy.)		Remarks.
	Quantity. (Tons.)	Value. (Rs.)	Quantity. (Tons.)	Value. (Rs.)	
1914-15	74,216	1,72,42,800	178,368	1,23,42,522	As values of exports to foreign countries for the years 1914-15 to 1921-22 are reported in pounds, they have been converted into rupees on the yearly average exchange basis.
1915-16	161,416	3,36,39,271	151,890	98,43,208	
1916-17	103,340	2,42,34,396	59,135	41,20,073	
1917-18	99,055	2,37,13,344	32,397	23,06,905	
1918-19	127,662	1,08,87,994	14,604	7,12,045	
1919-20	418,221	5,10,63,303	47,083	45,77,362	
1920-21	261,681	2,85,18,438	67,094	61,39,345	
1921-22	146,560	2,20,06,750	106,677	1,02,92,266	
1922-23	236,142	3,65,82,434	137,271	1,36,47,355	
1923-24	236,492	3,46,61,962	92,737	91,11,722	
1924-25	296,820	4,50,97,029	100,711	1,03,31,613	
1925-26	300,013	4,09,42,111	114,501	1,19,80,984	
1926-27	94,134	89,69,798	86,574	92,77,928	
1927-28	280,524	3,46,52,120	107,924	1,14,82,340	
1928-29	330,764	4,61,22,134	159,391	1,64,20,874	
1929-30	168,160	1,66,95,084	115,016	1,07,24,709	
1930-31	245,331	1,94,68,310	107,306	77,92,617	
1931-32	422,474	2,73,86,097	120,230	70,04,463	
1932-33	413,537	2,94,02,275	67,370	38,20,414	
1933-34	531,291	2,84,20,764	83,992	73,12,811	
1934-35	629,800	3,68,83,736	147,704	73,44,528	

(nine months, April - December.)

II.—Imports of Rice into Madras Presidency by Sea.

From other Indian ports coastwise.

From abroad.

Not in the husk.

In the husk.

Not in the husk.

In the husk.

Period.

Quantity. Value. Quantity. Value. Quantity. Value. Quantity. Value. Quantity. Value. Quantity. Value. (Tons.) (Rs.) (Tons.) (Rs.) (Tons.) (Rs.) (Tons.) (Rs.) (Tons.) (Rs.) (Tons.) (Rs.)

1	2	3	4	5	6	7	8	9
January to March, 1932	2	90	3,844	3,73,360	27,100	15,35,640	128,240	97,58,232
April to June, 1932	3	140	13,600	12,53,072	36,131	20,32,104	118,536	93,27,519
July to September, 1932	3	206	3,731	3,27,077	11,591	6,85,623	104,012	94,33,441
October to December, 1932.	4	309	9,240	8,08,018	3,107	1,81,880	81,803	64,74,531
January to March, 1933		5	8,847	7,04,657	19,570	10,46,336	141,024	99,27,610
April to June, 1933	..	98	2,446	1,88,349	42,703	18,12,445	164,327	1,05,95,467
July to September, 1933	1	36	5,712	4,01,021	12,542	5,60,432	125,109	71,88,006
October to December, 1933.	1	58	17,209	10,54,720	4,089	2,09,160	98,986	57,75,535
January to March, 1934	4,379	2,23,976	52,298	28,34,012	21,362	9,58,064	145,505	85,78,021
April to June, 1934	22,665	10,69,334	62,834	35,02,106	33,961	15,11,368	216,858	1,18,81,413
July to September, 1934	20,326	9,96,595	50,762	31,34,104	6,687	2,93,955	127,483	80,82,457
October to December, 1934.	50,846	26,71,444	99,932	67,91,625	14,637	8,83,070	124,964	93,41,203

III.—STATEMENT REFERRED TO IN THE REPLY TO PART (c) (ii).

Average retail prices of paddy at the specified station in the Madras Presidency in Rupees per Imperial maund of 83 2/7 lbs. together with the wholesale price of Paddy Coimbatore sanna at Bangalore per 640 seers.

Station.	Annual average 1913-14.		May 1933.		August 1933.		November 1933.		February 1934.		May 1934.		August 1934.		November 1934.											
	First. sort.	Second. sort.	First. sort.	Second. sort.	First. sort.	Second. sort.	First. sort.	Second. sort.	First. sort.	Second. sort.	First. sort.	Second. sort.	First. sort.	Second. sort.	First. sort.	Second. sort.										
Tanjore	3.58	3.45	2.70	1.61	1.52	1.78	1.68	2.17	2.03	2.15	1.65	2.03	1.87	2.03	1.87	2.03	2.54									
Madras	3.72	3.47	2.95	2.67	2.90	2.54	2.57	2.30	2.64	2.43	2.67	2.42	2.98	2.65	2.64	2.27	2.83	2.56								
Coimbatore	3.88	3.66	4.06	3.61	2.78	2.30	2.73	2.11	3.04	2.29	3.23	2.48	2.48	1.99	2.79	2.17	3.42	2.86	3.43	3.03						
Bezwada	3.04	2.82	2.32	2.23	2.28	2.11	1.85	1.77	1.89	1.80	1.86	1.74	1.62	1.81	1.69	2.15	2.08	2.50	2.37							
Cocanada	3.62	3.36	2.44	2.32	2.29	1.77	2.29	1.77	2.35	2.10	2.53	2.29	1.53	1.28	1.53	1.28	2.08	1.84	2.53	2.16						
Vizagapatam	3.36																									
Vizagapatam (Littoral)	2.88	2.68	2.58	2.27	2.07	1.81	2.05	1.91	1.92	1.69	1.98	1.72	1.73	1.43	1.87	1.56	1.98	1.90	2.61	1.88						
District average	Rs. A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.	A. P. Rs.					
* Bangalore	36	0	0	31	0	0	27	8	0	27	1	7	26	0	26	0	23	0	24	0	26	12	0	37	8	0

* Wholesale price per 640 seers.

† Standard price in 1914.

NOTE.—It is regretted that prices prior to November 1932 are not readily available.

Prof. N. G. Ranga: Will the Honourable Member please tell us when the Government of India addressed the Madras Government about this matter?

Mr. G. S. Bajpai: They had a representation from the Government of Madras on the 24th December, if I remember aright.

Dr. T. S. S. Rajan: Is the Honourable Member aware that the importation of rice is still continuing from Siam and it happened as late as last week?

Mr. G. S. Bajpai: I believe that imports are continuing.

Prof. N. G. Ranga: Is the Honourable Member aware that the prices are still falling?

Mr. G. S. Bajpai: My information is that a slow rise in prices began sometime ago.

Prof. N. G. Ranga: But they have now begun to fall?

Mr. G. S. Bajpai: My information is that they were rising and not falling.

Dr. T. S. S. Rajan: Is there any chance of the Government of India looking into this matter in the near future and have they got any definite time-limit in this matter?

Mr. G. S. Bajpai: I am afraid I cannot give any time-limit, and I would further urge upon the House to bear in mind that a Resolution on this subject was moved only yesterday, but in view of the paucity of time it could not be fully discussed. It would be best if we were to wait until I am in a position to explain the attitude of the Government on the Resolution later on.

FALL IN THE PRICES OF AGRICULTURAL PRODUCTS.

47. ***Prof. N. G. Ranga:** (a) Will the Honourable the Commerce Member be pleased to state the percentage fall in the prices of principal agricultural products, such as paddy, cholam, wheat, cotton, groundnut, chillies and other oilseeds since 1928-29 as compared with the prices of 1918-14 and 1919-20?

(b) What was the relative fall during the same period in the prices of the agricultural products of principal countries, such as the United States of America, France, Japan, Canada, Australia, South America and Great Britain?

(c) What was the relative fall in the prices of manufactured commodities of India, the United States of America, France, Japan, Canada, South America, Australia and Great Britain?

The Honourable Sir Joseph Bhoré: (a), (b) and (c). I lay on the table three statements furnishing the information asked for as far as available.

Statements I showing the Index Numbers of wholesale prices in Calcutta (Prices in July 1914 = 100) for certain groups of articles.

Number of items included .	Cereals.	Pulses.	Tea.	Oil-seeds.	Jute, raw.	Cotton, raw.	Ex-ported articles, mainly raw materials, articles.	
							Imported articles, mainly manufactured materials, articles.	
1914, End of July . .	100	100	100	100	100	100	100	100
1919, Annual Average .	161	180	105	198	115	230	169	226
1920, Annual Average .	153	166	78	173	104	152	145	268
1928, Annual Average .	133	157	154	142	100	167	140	147
1929, Annual Average .	125	152	140	155	95	146	132	148
1930, Annual Average .	100	119	114	127	63	91	101	135
1931, Annual Average .	78	89	86	82	49	83	78	124
1932, Annual Average .	68	92	61	76	45	92	72	114
1933, Annual Average .	66	84	95	73	41	80	71	112
1934, Annual Average .	69	84	131	92	39	73	75	112

Percentage increase (+) or decrease (—), as compared with 1919.

1920 . .	—5.0	—7.8	—25.7	—12.6	—9.6	—33.9	—14.2	+18.6
1928 . .	—17.4	—12.8	+46.7	—28.3	—13.0	—27.4	—17.2	—35.0
1929 . .	—22.4	—15.6	+33.3	—21.7	—17.4	—36.1	—21.9	—34.5
1930 . .	—37.9	—33.9	+8.6	—35.9	—45.2	—60.4	—40.2	—40.3
1931 . .	—51.6	—50.6	—18.1	—58.6	—57.4	—63.9	—53.8	—45.1
1932 . .	—57.8	—48.9	—41.9	—61.6	—60.9	—60.0	—57.4	—47.3
1933 . .	—59.0	—53.3	—9.5	—63.1	—64.3	—65.2	—58.0	—50.4
1934 . .	—57.1	—53.3	+24.8	—53.5	—66.9	—68.3	—55.6	—50.6

Statement II showing the index numbers of prices of agricultural products in certain principal countries of the world, 1928—34

Country:	United States of America.	France.	Canada.	Argentina.	Australia (Melbourne.)	England and Wales.
	Total Agricultural Farm products.	Farm and food products.	Total Canadian Farm products.	Total Agricultural products.	Agricultural produce, etc.	Agricultural products.
Source.	Bureau of Agricultural Economics.	Statistique generale de la France.	Internal Trade Branch of the Dominion Bureau of Statistics.	Banco de la Nacion Argentina.	Commonwealth Bureau of Census and Statistics.	Ministry of Agriculture and Fisheries.
Base	Average 1908-10 to 1913-14 = 100	1913 = 100	1926 = 100	1926 = 100	1911 = 100	1911-13 = 100
1913	..	100	62.6	..	109.7	219*
1919	145.5	..	198.5	147
1928	..	584	100.7	108.5	172.6	144
1929	138	579	100.8	102.6	179.2	134
1930	117	526	82.3	85.9	148.4	120
1931	80	542	56.3	63.8	112.1	112
1932	57	482	48.3	59.1	123.0	107
1933	63	420	61.0	66.9	117.5	119
October, 1934	100	393(August)	60.9	72.9	127.4 (June 1934).	..
Percentage rise (+) or decline (-) in October, 1934 as compared with 1913	..	+293 (in August, 1934).	-2.7	-	+16.1 (June, 1934).	..
Percentage rise (+) or decline (-) in October, 1934 as compared with 1919	..	-	-58.1	-	-35.8 (June, 1934).	-45.7†

* Figure for 1921.

† Percentage fall in October, 1934 as compared with 1921.

Statement III showing the index numbers of manufactured goods in certain principal countries of the World (1925-34).

Country.	United States of America.	France.	Canada.	England.
	Finished Products.	Industrial Products.	Fully and Chiefly manufactured goods.	Industrial Products.
Source :	Bureau of Labour Statistics.	Statistique generale de la France.	Dominion Bureau of Statistics.	Federal Reserve Board Bulletin (U. S. A.)
Base	1926=100	1913=100	1926=100	1913=100
1913	69.4	100	64.8	100
1919	130.6		132.5	
1928	95.9	697	95.6	134
1929	96	669	93.0	132
1930	88	579	87.3	116
1931	75	484	74.6	100
1932	70	380	69.8	97
1933	74.8	380	72.0	99
1934	(December). 80.1	351	(December). 73.6	103
	(September).	(August).	(August).	(August).
Percentage fluctuation in 1934 in comparison with—				
1913	+15.4	+251	+13.6	+3
	(September).	(August).	(August).	(August).
1919	-38.7		-44.5	
	(September).		(August).	

Dr. Ziauddin Ahmad: Is it not a fact that the prices of agricultural products have fallen during the last 12 months?

The Honourable Sir Joseph Shore: I think that is so, generally speaking from recollection.

Dr. Ziauddin Ahmad: May I ask if that is not a direct result of the policy of the Government in raising the price level of manufactured articles?

(No reply).

RECOMMENDATIONS OF THE CROP PLANNING CONFERENCE.

48. ***Prof. N. G. Ranga:** Will the Honourable the Commerce Member be pleased to state what steps the Government of India have taken, or propose to take, to give effect to the recommendations of the Crop Planning Conference?

Mr. G. S. Bajpai: A statement is laid on the table.

Statement regarding the action taken on the Recommendations of the Crop Planning Conference, 1934.

Recommendation.	Action taken.
That the present world conditions in the matter of rice production be borne in mind by provincial Governments which may be contemplating an increase in the present area under rice.	This concerns local Governments to whom copies of the proceedings of the Conference have been forwarded.
As a general proposition the Conference endorsed the recommendation of the Sub-Committee of the Advisory Board of the Imperial Council of Agricultural Research that the development of internal markets, which was of great importance, could best be pursued by means of the marketing scheme now under the separate consideration of the Council.	This recommendation will receive the attention of the Central Marketing Staff.
That a Standing Committee on Rice should be constituted and financed by the Imperial Council of Agricultural Research. This Standing Committee should concern itself with all matters relating to the production, marketing and general improvement of the crop.	A proposal for the appointment of two Standing Committees—one on Wheat and the other on Rice, was placed before the Advisory Board of the Council at its meeting held in September 1934. The recommendations of the Board were accepted by the Governing Body of the Council at its meetings held on the 21st and 22nd January 1935. The Committees will therefore be formed shortly.
The Conference accepted the recommendation of the Sub-Committee that a Standing Committee on Wheat of the Advisory Board of the Imperial Council of Agricultural Research should be created on the same terms as those suggested for the Standing Committee on Rice.	
That the Government of India should consider whether an import duty at the rate of Rs. 1-4-0 per maund of rice and 15 annas per maund of paddy be imposed on imports of rice and paddy from non-Empire countries.	The matter is under consideration.
That it was wrong in principle to suggest any restriction on inter-provincial trade within India.	No action is called for.
That the Government of India should consider the question of opening negotiations with Ceylon and British Malaya with a view to obtain preference for Indian rice; and that the Government of India should consider whether the specific duty imposed by the Ottawa Agreement on imports of rice from foreign countries to the United Kingdom should be extended to paddy to the extent of three farthings per lb.	Representations have already been made to the proper authorities through the Secretary of State for India in respect of preference for Indian rice in British Malaya and on paddy in the United Kingdom.

Recommendation.

Action taken.

- The Conference noted the undertaking given by the representative of the Railway Board to the Sub-Committee that where special rates were required to facilitate particular movements of special crops, the question would always receive sympathetic consideration; and that the Railway Board would consult Agricultural Officers and the new Marketing staff in connection with such proposals. It was made clear that where two or more provinces were concerned, they would all be consulted.
- The present world condition in the matter of wheat production and the fact that the Wheat Import Duty Act is an annual measure (not permanent) are two facts which should be borne in mind by provincial Governments which contemplate schemes involving expansion of the wheat area.
- As regards internal markets, the Conference felt that their development could best be pursued through the marketing scheme now under the consideration of the Imperial Council of Agricultural Research.
- The Conference decided that while the Central Provinces could go forward with their programme, the question of an extension of the area under groundnut in India as a whole should be considered by the Oil Seeds Committee of the Imperial Council of Agricultural Research.
- The advice which the Conference received was that there was room for the development of the castor crop rather than for its restriction. The Conference felt, however, that the material available was as yet insufficient for it to give a lead and as in the case of groundnuts, came to the conclusion that the question should be examined by the Oil Seeds Committee of the Imperial Council of Agricultural Research.
- The Central Provinces, the United Provinces, Bihar and Orissa and Bengal are, in the order mentioned, the principal growers of linseed and they are making definite efforts to increase their production. On the facts stated above the Conference came to the conclusion that each of these provinces could safely increase its acreage under linseed by 50 per cent.
- The question of external and internal markets for rapeseed, mustard and sesamum had not so far been examined in detail and though the sub-committee had recommended that there was room for cautious expansion, the Conference came to the conclusion that the Oil Seeds Committee of the Imperial Council of Agricultural Research should examine the question before a definite lead to the cultivator could be given.
- The Agents of Railways were asked to take necessary steps in the matter in consultation with Provincial Directors of Agriculture and Marketing Officers and local Governments were requested to instruct Provincial Officers to get into touch with the Railways concerned.
- This concerns local Governments to whom copies of the proceedings have been supplied.
- Attention is invited to Government of India (Imperial Council of Agricultural Research Department) Resolution of January 10th, 1935, which was published in the Gazette of India dated the 12th January, 1935.
- These recommendations will be placed before the next meeting of the Oil Seeds Committee of the Imperial Council of Agricultural Research.
- Copies of the proceedings of the Conference have been forwarded to the local Governments.
- This will be placed before the next meeting of the Oil Seeds Committee of the Imperial Council of Agricultural Research.

Recommendations.

Action taken.

- The Conference came to the conclusion that in regard to the sugarcane crop, as in regard to cotton, the question of the advisability or otherwise of further extension should be left to the Committee already constituted.
- This subject will be placed before the Sugar Committee of the Council for discussion at its next meeting.
- The conclusion reached was that there was ample scope for an extension of area under tobacco, provided that it was of the right type; but that it was unlikely that the extension of area could within any foreseeable future be so great as to make any appreciable difference in the relative importance of crops in India. For those who were prepared and were able to develop the light bright type of tobacco there was economic advantage in an extension of area and progress was being made in this direction. The Conference noted that questions relating to this crop would shortly be considered by a Tobacco Committee of the Imperial Council of Agricultural Research.
- An *ad hoc* Committee of experts (officials and non-officials) interested in the crop) met in September 1934. A copy of this Committee's report and of a statement showing the recommendations of the Advisory Board on the report and the action taken thereon, have been placed in the library of the House. The Governing Body of the Council at its meeting held in January 1935 accepted these recommendations.
- The Conference recommends that the question of a protective duty on all imports of dairy products should be examined by the Tariff Board.
- On the recommendation of the Standing Dairying Committee of the Imperial Council of Agricultural Research a statement of the case for a protective duty on imported butter is being prepared. The question of the protective duty on other dairy products will also be considered in the same connection.
- The Conference endorsed the opinion of the Sub-Committee of the Advisory Board of the Imperial Council of Agricultural Research that statistics in respect of Cereals other than rice and wheat, specially barley, jowar, Bajra, Maize and gram (including pulses) were extremely insufficient and that the possibility of including the crops mentioned under this head in the All India Forecasts should be examined.
- In this connection might also perhaps be noted the following recommendations to improve agricultural statistics in India which the Director General of Commercial Intelligence and Statistics promised to consider:—
- (i) that in the monthly rail-borne trade returns figures should be given by trade blocks instead of by provinces only; also that the value of commodities should be given if practicable; and
- (ii) that the railway freights for agricultural commodities from and to representative centres should be published in the weekly Indian Trade Journal.
- These recommendations are under examination.

RECOMMENDATIONS OF THE TAXATION ENQUIRY COMMITTEE.

49. *Prof. N. G. Ranga: Will Government be pleased to state the steps so far taken by them to implement the recommendations of the Taxation Enquiry Committee of 1926 and the effect, actual or estimated, in terms of money which has been produced by such steps upon the burden of direct and indirect taxes?

The Honourable Sir James Grigg: The recommendations of the Indian Taxation Enquiry Committee related not only to central taxation but also to Provincial and local taxation, which are of course, primarily the concern of the Provincial Governments and local authorities. So far as they were concerned with the distribution of the different sources of revenue between Central and Provincial, their recommendations have since been superseded by those of the Joint Select Committee of Parliament. Several of the Committee's recommendations with regard to central taxation have, however, been accepted by the Government of India and effect has been given to them by the Legislature from time to time. I may mention the abolition of the export duty on tea and on hides, the abolition of the cotton excise duty, the imposition of income-tax on the income derived by tea planters from manufacture, the re-grading of the income-tax, and the lowering of the limit for super-tax to Rs. 30,000. It is not possible to give an estimate in terms of money of the effect produced on the payers of direct and indirect taxes by the acceptance of the recommendations of the Committee.

Prof. N. G. Ranga: What action has been taken so far by the Government of India on the recommendation of the Taxation Enquiry Committee that the income from agricultural sources should be taxed as an income-tax?

The Honourable Sir James Grigg: Under the Government of India Bill, taxation on agricultural income is a provincial subject, so that the whole situation in that matter will be changed.

Prof. N. G. Ranga: Is the Honourable Member aware that the Statutory Commission also recommended that taxes should be raised on such incomes?

The Honourable Sir James Grigg: As I said in my original answer, a good many of the recommendations have been superseded by the Joint Parliamentary Committee Report, and, as regards agricultural income, that is, under the Government of India Bill, a provincial subject.

Prof. N. G. Ranga: How do the Government explain their failure to raise this tax even though this recommendation was made so long ago as 1926?

The Honourable Sir James Grigg: I have enough to do to defend my own shortcomings without working to defend those of anybody else.

INCOME-TAX REALISED ON INCOMES BETWEEN Rs. 1,000 AND Rs. 2,000.

50. *Prof. N. G. Ranga: Will Government be pleased to state the annual revenues by provinces received by the Government of India by income-tax raised upon incomes of Rs. 1,000 and above up to Rs. 2,000 ever since that rate has been imposed?

Mr. A. J. Raisman: A statement is laid on the table.

Statement showing collection of income-tax in the various provinces from incomes between Rs. 1,000 and Rs. 2,000 during the years 1931-32 to 1933-34.

Provinces.	1931-32.	1932-33.	1933-34.
	Rs.	Rs.	Rs.
1. Madras	1,91,068	9,06,286	11,10,627
2. Bombay	5,08,629	18,62,559	18,14,386
3. Bengal	3,33,126	10,72,678	9,51,690
4. United Provinces	1,63,783	6,32,636	6,48,515
5. Punjab	1,49,042	7,22,184	10,23,325
6. Burma	1,36,900	4,55,423	6,30,955
7. Bihar and Orissa	1,08,245	3,74,324	3,35,946
8. Central Provinces	72,865	4,25,041	4,28,692
9. Assam	17,376	1,22,793	98,361
10. N.-W. F. Province	18,686	80,136	67,928
11. Delhi	19,566	42,060	1,75,334
Central Departments, e.g., Military, Railway, Posts and Telegraphs and Minor Administrations.	1,15,640	2,76,928	9,75,336
	17,34,926	69,73,048	82,61,097

Mr. Lalchand Navalrai: May I know from the Honourable Member what are the expenses for the collection of this lower rate of income-tax? Is that information also contained in that statement?

Mr. A. J. Raisman: That information has not been asked for in the question. If the Honourable Member wants that information, I should be glad if he would put down a question on the paper.

Prof. N. G. Ranga: What is the number of people who have been assessed under this head?

Mr. A. J. Raisman: That also is not in the statement. It has not been asked for.

Prof. N. G. Ranga: Did the Government think it worth while to raise this income-tax on such a large number of people only to collect such a small sum?

Mr. A. J. Raisman: The amount involved in this tax is certainly very appreciable.

INVESTIGATIONS MADE INTO THE COSTS OF CULTIVATION OF CROPS.

51. *Prof. N. G. Ranga: Will the Honourable the Commerce Member be pleased to state in what parts of the country, for what crops and at what cost per each centre were investigations made by the Imperial Council of Agricultural Research into the costs of cultivation, and also to place on the table of this House the results of such investigations made by the Imperial Council of Agricultural Research?

Mr. G. S. Bajpai: A statement is laid on the table. The enquiry which is financed jointly by the Imperial Council of Agricultural Research and the Indian Central Cotton Committee is spread over a period of three years. Its results are not yet available.

Statement regarding investigation made by Imperial Council of Agricultural Research into the costs of cultivation of crops.

Where investigations are conducted.		Crops included in the enquiry.	Estimated cost per Province or State.	
Province or State.	District or tracts.		For one year.	For 3½ years.
			Rs.	Rs.
I. Punjab	1. Jullundur . 2. Lyallpur. 3. Gurdaspur.	The primary object is to find out the cost of cultivation of sugarcane and cotton in the important sugarcane and cotton growing tracts, and the districts included in the enquiry were selected accordingly. As the crops grown in the selected holdings could not be neglected it was found desirable to include all crops in the investigation.	19,260	67,410
II. United Provinces	1. Meerut Tract 2. Rohilkhand. 3. Gorakhpur.		14,940	52,290
III. Madras	1. Vizagapatam 2. Coimbatore. 3. Bellary.		14,940	52,290
IV. Bombay (Proper).	1. Jalgaon . 2. Dharwar. 3. Surat. 4. Poona.		20,460	71,610
V. Central Provinces and Berar.	1. Nagpur Wardha Tract . 2. Berar (a) Plains 3. Berar (b) Ghat.		14,940	52,290
VI. Bengal	1. Bogra . 2. Birbhum.		6,740	23,590
VII. Bihar and Orissa	1. South-Bihar Range— Patna. 2. North Bihar Range— Muzaffarpur.		10,610	37,135
VIII. Sind	Hyderabad .		4,580	16,030
IX. Hyderabad State	Nanded .		4,580	16,030
X. Mysore State	Scattered in different parts of the State.		4,580	16,030
XI. Baroda State	Baroda .		4,580	16,030

Prof. N. G. Ranga: When the results are available, will they be placed on the table of the House?

Mr. G. S. Bajpai: Certainly, I will have a copy placed in the Library of the House.

EXPENDITURE ON THE MAINTENANCE OF THE INDIAN CENTRAL COTTON COMMITTEE AND ITS STAFF.

52. ***Prof. N. G. Ranga:** (a) Will the Honourable the Commerce Member be pleased to state:

(i) the annual and total cost incurred by the Government of India directly or through the Imperial Council of Agricultural Research for maintaining the Indian Central Cotton Committee and its staff;

(ii) the nature of the work being carried on by the committee;

(iii) the nature of the relations between that Committee and the various provincial departments of agriculture; and

(iv) the measures so far taken by Provincial and Central Governments to implement the results of the investigations carried on by the said Committee?

(b) Will Government please state if they have directly or through the Indian Cotton Committee, tried to utilise, by offering to bear the expenses in full or in part, the local associations of peasants to popularise the improved methods of cotton culture, cleaning, grading and marketing of cotton, and if so, what associations have thus been utilised and by making what grants, and if not, do Government propose to utilise these local peasant associations for the said purposes?

Mr. G. S. Bajpai: (a) (i) Neither the Government of India nor the Imperial Council of Agricultural Research contribute towards the maintenance of the Indian Central Cotton Committee which derives its funds from a cess imposed under the Indian Cotton Cess Act, 1928.

(ii), (iii) and (iv). The attention of the Honourable Member is invited to the Annual Reports of the Indian Central Cotton Committee, copies of which are available in the Library of the House.

(b) Popularisation of improved methods of cotton culture, cleaning, grading and marketing is primarily a matter for arrangement between the Committee and the Local Governments. The Government of India are informed that the Indian Central Cotton Committee promotes the extension and marketing of improved varieties of cotton by providing grants to Agricultural Departments and Co-operative Cotton Sale Societies. For example, the Committee has provided a trained officer to act as grader, adviser and business manager to a group of co-operative societies in Coimbatore district, which grow improved types of Cambodia cotton.

Prof. N. G. Ranga: Is the Honourable Member aware that no cotton sale society has so far been organised anywhere in Madras for the better marketing of cotton?

Mr. G. S. Bajpai: My information, which I have given to the House, is that a trained officer has been provided by the Committee to act as grader, adviser and business manager to a group of co-operative societies in Coimbatore district, which, as the Honourable Member knows, is in the Madras Presidency.

Prof. N. G. Ranga: How long ago has this officer been provided?

Mr. G. S. Bajpai: About a year ago.

LEGISLATION TO RELIEVE THE BURDEN OF RURAL INDEBTEDNESS.

58. ***Prof. N. G. Ranga:** (a) In view of the Government of India's assurance that the Provincial Governments will be urged to introduce the necessary legislation to relieve the burden of rural indebtedness, will Government be pleased to place on the table of this House a statement showing what has so far been done by Provincial Governments, and the Acts passed and the Bills introduced by various Provincial Legislative Councils by the end of 1934?

(b) Will Government be pleased to state if they propose to introduce in the near future any comprehensive Bill to relieve the burden of agricultural indebtedness? If not, why not?

The Honourable Sir Nripendra Sircar: (a) A statement showing the Acts passed and Bills introduced in the various provinces is laid on the table. The Honourable Member is mistaken in supposing that the Government of India have given an assurance in the sense indicated in the question. Any such assurance would be incompatible with the relevant conclusions reached at the Provincial Economic Conference and set out in paragraph 5 of the Finance Department Resolution No. F-16 (1) (F-34), dated the 5th May, 1934.

(b) For reasons which will be apparent to the Honourable Member from a perusal of the paragraph of the Resolution referred to in my previous reply the answer is in the negative.

Statement showing Acts and Bills relating to Rural Indebtedness passed by and introduced in the various Provincial Legislatures, up to the end of December, 1934.

Acts Passed.

The Madras Co-operative Land Mortgage Banks Act, 1934.

The Bengal Money Lenders Act, 1933.

The Agriculturists Loans United Provinces (Amendment) Act, 1934.

The Assam Money Lenders Act, 1934.

The Central Provinces Debt Conciliation Act, 1933.

The Central Provinces Debt Conciliation (Amendment) Act, 1934.

The Usurious Loans (Central Provinces Amendment) Act, 1934.

The Central Provinces Money Lenders Act, 1934.

Bills Introduced (including Bills passed and awaiting assent on 31st December, 1934.)

- The Madras Money Lenders Bill.
- The Madras Debt Conciliation Bill.
- The Bombay Money Lenders Bill.
- The Bengal Tenants Protection from Usury Bill.
- The United Provinces Reduction of Interest Bill.
- The United Provinces Encumbered Estates Bill.
- The Usurious Loans (United Provinces Amendment) Bill.
- The United Provinces Regulation of Sales Bill.
- The United Provinces Temporary Regulation of Execution Bill.
- The Punjab Relief of Indebtedness Bill.
- The Central Provinces Money Lenders Bill.
- The Usurious Loans (Central Provinces Amendment) Bill.
- The Central Provinces Reduction of Interest Bill.
- The Central Provinces Debtors' Relief Bill.
- The Usurious Loans (N. W. F. P. Amendment) Bill.

Prof. N. G. Ranga: Is the Honourable Member aware that His Excellency the Viceroy, while addressing this House, the other day, gave an assurance that the Government of India will do all they can to relieve the burden of agricultural indebtedness?

The Honourable Sir Nripendra Sircar: If the Honourable Member will give me reference to the words of this assurance, I can look into the matter. I have already given in my reply that the Honourable Member is mistaken in supposing that the Government of India have given an assurance in the sense indicated in the question.

Prof. N. G. Ranga: Does the Honourable Member deny that such an assurance was given?

Mr. President (The Honourable Sir Abdur Rahim): That is arguing.

TRADE COMMISSIONERS EMPLOYED BY THE GOVERNMENT OF INDIA.

54. ***Prof. N. G. Ranga:** (a) Will the Honourable the Commerce Member be pleased to state how many Trade Commissioners are today employed by the Government of India and in what countries?

(b) For how long and at what annual cost have they been employed?

(c) What are their functions?

(d) Are they expected to make periodical reports about the prospects open in the respective countries allotted to them, for the development of demand for Indian agricultural produce, trade and industry? If so, do Government propose to see that such information from their reports as is found to be useful and relevant to Indian peasants, is published periodically in all Indian vernacular papers?

The Honourable Sir Joseph Bhoré: (a) There are three Indian Trade Commissioners at present, one each in England, Germany and Italy.

(b) The Indian Trade Commissioner, London, has been employed from October, 1917, the Indian Trade Commissioner, Hamburg, from March, 1931 and the Indian Trade Commissioner, Milan, from the 1st February last. The total expenditure on the offices of Indian Trade Commissioners in London and Hamburg is approximately £19,000 for the year 1934-35 and the budget estimate for 1935-36 including the expenditure on the Milan office is £25,125

(c) A statement giving the principal duties of Indian Trade Commissioners is laid on the table.

(d) The reply to the first part is in the affirmative. As regards the second part, Government have no reason to suppose that the Reports in question are not receiving sufficient publicity. I may add that the annual reports received from the Indian Trade Commissioners are supplied to recognised Chambers of Commerce, leading newspapers including some vernacular papers and also the Press Correspondents at the headquarters of the Government of India. The Indian Trade Commissioners also submit quarterly reports which are published in the *Indian Trade Journal*.

Statement showing the principal duties of the Indian Trade Commissioners.

The principal duties of the Indian Trade Commissioners are :—

- (a) to answer trade enquiries which are directed to the development of markets for Indian goods in the area for which he is responsible;
- (b) to compile an index of firms of good standing in his area dealing in goods such as India produces or is capable of producing for export;
- (c) to furnish commercial information directed to the development of Indian export trade required by Departments of the Government of India or by Local Governments, by Indian States, by the High Commissioner for India or by the Director General of Commercial Intelligence and Statistics.
- (d) to report spontaneously to the Director General of Commercial Intelligence and Statistics any local developments, official or unofficial, likely to affect Indian trade;
- (e) to visit local firms and represent to them the means of securing Indian goods suitable to their requirements;
- (f) to test the local markets for Indian goods by means of trial consignments if so desired;
- (g) to assist, by means of letters of introduction and advice, visitors to his area engaged in the development of the Indian export trade;
- (h) to take such steps as are possible to settle trade disputes arising in his area involving claims by merchants in India;
- (i) to maintain a library of Indian trade publications available for consultation by interested local enquirers;
- (j) to organise exhibits of Indian goods at local exhibitions or fairs on lines approved, and within the scope of funds allotted for the purpose, by the High Commissioner or by the Director General of Commercial Intelligence and Statistics, as the case may be; and
- (k) to represent the possibilities of Indian trade by means of lectures, the display of films and other suitable methods.

Mr. Lalchand Navalrai: May I know from the Honourable Member if the reports are placed in the Library?

The Honourable Sir Joseph Bhoré: I am almost certain they are

Mr. H. P. Mody: Will the Honourable Member consider the advisability of appointing a Trade Commissioner for the African market the necessity of which has been stressed so repeatedly here as well as elsewhere?

The Honourable Sir Joseph Bhoré: It is a question of funds. I do not think that particular office is under contemplation at the present moment.

Mr. N. M. Joshi: May I ask if the copies of the reports will be supplied to Honourable Members of this House?

The Honourable Sir Joseph Bhoré: I shall consider that suggestion.

Mr. B. Das: Will the Honourable Member tell us which are the places under contemplation of the Government for appointment of new Trade Commissioners?

The Honourable Sir Joseph Bhoré: We have not yet gone into the matter. We shall probably consult commercial opinion before we come to any final conclusion.

Mr. H. P. Mody: Do Government not consider that the time has arrived for implementing their promise that, as soon as financial conditions improved, they would take into consideration the desirability of making an appointment for the African markets? Will they not make a provision in the next Budget?

The Honourable Sir Joseph Bhoré: I am not aware, Sir, that we are definitely bound to appoint a Trade Commissioner for the African market. I am not aware that we have given any specific guarantee on that point; but the question certainly will be considered as soon as funds are available.

Mr. B. Das: Did not the Honourable Member give an assurance in the last Session of the Assembly that Government were considering the appointment of new Trade Commissioners?

The Honourable Sir Joseph Bhoré: Yes, Sir. The Milan office has been opened.

Prof. N. G. Ranga: Have Government considered the question of appointing a Trade Commissioner in the United States of America?

The Honourable Sir Joseph Bhoré: I have no doubt that question also will be considered when we come to some conclusion as to the opening of new Trade Commissioners' offices in different parts of the world.

Prof. N. G. Ranga: Has the Honourable Member realised that there is considerable difference in the manner in which the British Trade Commissioner in this country reports to that Government about the trade prospects for British imports into this country and our Trade Commissioner in London reports to our Government?

The Honourable Sir Joseph Bhore: No, Sir; I am not aware of that, but if my Honourable friend can make any suggestions as to the improvement of the reports, we shall be only too glad to consider such suggestions.

Prof. N. G. Ranga: Will the Honourable Member consider the suggestion that our Trade Commissioner in England should try to report to our Government about our trade prospects in the same manner in which Mr. Ainscough has been reporting to the British Government about their prospects in this country?

The Honourable Sir Joseph Bhore: I do not admit that his reports are in any way or in any sense less useful than those of the British Trade Commissioner in India.

CONGESTION IN THIRD CLASS RAILWAY CARRIAGES.

55. ***Prof. N. G. Ranga:** (a) Will the Honourable the Commerce Member be pleased to state what steps have been taken by the authorities concerned during the last four years to relieve the congestion in third class carriages of our railways?

(b) What steps in future are proposed to be taken to relieve that congestion and on what railways?

(c) Will the Honourable the Commerce Member be pleased to state whether third class railway passengers have still the right to draw the attention of railway authorities to the congestion in third class railway carriages whenever more passengers than the prescribed number are found in a carriage?

Mr. P. R. Rau: (a) and (b). From censuses of passenger trains that are taken periodically by Railways, it does not appear that there is at present any general over-crowding in third class carriages necessitating the adoption of special measures. I am placing on the table a statement showing the position on the 31st March in each of the last four years in regard to the number of third class seats provided and the number of third class passengers carried during each of these years. It will be seen therefrom that while there has been a decrease of 14 per cent. in the number of passengers carried in 1933-34 as compared with 1930-31 the number of third class seats is practically the same.

(c) The right to draw the attention of the railway authorities to over-crowding has never been questioned.

Statement.

Year.	Third class seats on 31st March.	Number of third class passengers carried.
1930-31	1,182,117	550,878,700
1931-32	1,159,491	487,036,900
1932-33	1,147,631	485,316,900
1933-34	1,143,695	473,585,000

Lieut.-Colonel Sir Henry Gidney: Disagreeing as I often do with the Honourable Member, will he inform this House whether it is the intention of the Government of India to abolish second or intermediate class carriages and thus afford increased accommodation to third class passengers?

Mr. P. R. Rau: I am not sure if my Honourable friend is suggesting a reduction in the number of classes on Indian railways. If so, that question is under consideration.

Lieut.-Colonel Sir Henry Gidney: That does not answer my question and is quite hypothetical. Will the Honourable Member give a reply to my question?

Dr. Ziauddin Ahmad: In making his calculations that there is no congestion, did the Honourable Member take into consideration all those branch lines which are run practically empty? The complaint of congestion is only on the main lines, and specially on the fast trains?

Mr. P. R. Rau: I have taken all the railways into consideration and the figures that I have collected refer to all railways.

Mr. F. E. James: Does the Honourable Member suggest that there is no overcrowding? I can understand that taking the average of all lines, and, in regard to particular trains, the average seating may be reasonable. But is the Honourable Member not aware that on many of the main trains in the country there is still the greatest possible overcrowding of passengers?

Mr. P. R. Rau: I am not suggesting that there is no overcrowding at any time and in any railway. There is possibly some overcrowding at some times and on some railways. What I claim here is that the position has improved in the course of the last four years.

Dr. T. S. S. Rajan: Does this average of the ratio of the number of seats to the number of passengers travelling on the trains exclude the possibility of overcrowding at any time?

Mr. P. R. Rau: Not at all; I never claimed that. I only claim that the position in regard to overcrowding has improved in the last four years.

Dr. T. S. S. Rajan: Will any further provision with regard to overcrowding be made by Government in view of the questions raised here?

Mr. P. R. Rau: If my Honourable friend will peruse the administration reports of past years he will find that, when the railways could afford to spend money on the provision of amenities for third class passengers, they were always ready to do it to the extent that they were able to do so.

POSTCARDS USED BY THE PUBLIC PER ANNUM.

56. *Prof. N. G. Ranga: Will the Honourable the Commerce Member be pleased to state:

- (i) the average number of postcards used by the public per annum when their price was only one quarter anna each;
- (ii) the average revenue derived by Government;
- (iii) the number of postcards utilised per annum by the public and the annual revenue derived by Government when the price was only half anna each; and
- (iv) the number of postcards utilised per annum by the public and the annual revenue derived by Government when their price is three quarters of an anna each?

The Honourable Sir Frank Noyce: No separate account is maintained of the actual number of inland postcards used by the public in any one year or of the revenue derived from them. It is impossible, therefore, to give the Honourable Member information which can be vouched for as correct. I can only give him information based on estimates of the number of inland postcards, including those of private manufacture, received for delivery, and the figures I now proceed to give must be taken as subject to this very important qualification:

- (1) The $\frac{1}{4}$ anna postcard rate was in existence from the year 1879 to the year 1922; it is obviously not possible to ascertain the average number of postcards used by the public per annum during this lengthy period. During the last ten years of it, those from 1912-1913 to 1921-1922, the average number of postcards received for delivery was 528 $\frac{1}{2}$ millions.
- (2) The average revenue derived during the above period would be Rs. 82 $\frac{1}{2}$ lakhs.
- (3) The average annual number of postcards, received for delivery, during the period the postcard rate was $\frac{1}{2}$ anna was 555 $\frac{1}{2}$ millions and the average revenue, Rs. 173 $\frac{1}{2}$ lakhs.
- (4) The average annual number of postcards, received for delivery, from the date the postcard rate was fixed at $\frac{3}{4}$ anna to the end of the financial year 1933-34 is 441 $\frac{1}{2}$ millions with an estimated average annual revenue of Rs. 207 lakhs.

Prof. N. G. Ranga: Does the Honourable Member realise that the income is going down as well as the number of postcards used since the price was raised to $\frac{3}{4}$ anna?

The Honourable Sir Frank Noyce: No, Sir; I am afraid my Honourable friend could not have correctly heard the figures that I gave. The average revenue derived during the period when the $\frac{1}{4}$ anna postcard was in force was Rs. 82 $\frac{1}{2}$ lakhs. The average revenue derived during the period the rate was half an anna was Rs. 173 $\frac{1}{2}$ lakhs. And the average revenue derived during the $\frac{3}{4}$ anna rate period was Rs. 207 lakhs. My Honourable friend will, therefore, see that although the number of postcards has gone down, the revenue from them has considerably increased.

Prof. N. G. Ranga: Does not that show that the law of diminishing returns has begun to operate ever since the price was raised from $\frac{1}{4}$ anna to $\frac{1}{2}$ anna? I will make myself clearer and say that when the price was $\frac{1}{4}$ anna, the income was 173½ lakhs, and when it was raised to $\frac{1}{2}$ anna, it came to be only 207 lakhs instead of 250 lakhs as it ought to have been.....

Mr. President (The Honourable Sir Abdur Rahim): That is a matter for argument.

EXPERIMENTS INTO THE DEVELOPMENT OF TOBACCO CULTURE.

57. ***Prof. N. G. Ranga:** (a) Will the Honourable the Commerce Member be pleased to state if it is a fact that the establishment of an experimental station to improve the culture of tobacco is contemplated? If so, is it in the Madras Presidency, and if so, will not such an experimental station be placed directly under the control and supervision of the Department of Agriculture of the Government of Madras?

(b) Have the Government of India been approached by the Indian Leaf Tobacco Development Company, Limited, for permission to carry on the desired experiments into the development of tobacco culture on behalf of Government? If so, have the Government of Madras been consulted regarding this proposal, and if so, what is the attitude of that Government?

(c) Have Government so far considered the possibility and advisability of proposing to the Government of Madras that they should establish their own experimental station for this purpose? If not, is the Honourable the Commerce Member prepared to consider such a proposition?

Mr. G. S. Bajpai: (a) A draft scheme is under examination by the Imperial Council of Agricultural Research which will consider what suitable arrangements can be made for supervision and control.

(b) The answer to the first part is in the negative. The second part does not arise.

(c) The Madras Agricultural Department are already alive to the need for experimental work in tobacco. The scheme referred to in the answer to part (a) is not in substitution of provincial work on tobacco but forms part of a co-operative scheme of experiments in which a number of provinces will participate.

Prof. N. G. Ranga: Do Government propose to open an experimental farm somewhere in the Madras Presidency?

Mr. G. S. Bajpai: I gather that proposals for the establishment of a sub-station at Guntur, where cigarette tobacco is grown, is under consideration of the Imperial Council of Agricultural Research.

UNEMPLOYMENT PROBLEM IN INDIA.

58. ***Khan Bahadur Makhdum Syed Rajan Bakhsh Shah:** (a) Are Government aware that unemployment among the masses is creating great uneasiness throughout the country?

(b) If so will Government please state whether any steps have been or are being contemplated by them to remove this complaint?

The Honourable Sir Frank Noyce: The attention of the Honourable Member is invited to the reply given to parts (a) and (b) of Mr. Rameshwar Prasad Bagla's question No. 775 in the Legislative Assembly on the 26th September, 1932, and to the discussions in this House on the 30th January, and 6th February, 1934, on Mr. N. M. Joshi's Resolution on this subject.

Mr. Lalchand Navalrai: Will the Honourable Member refresh our memory on that answer? It was given a long time past.

The Honourable Sir Frank Noyce: I would invite my Honourable friend to study the very lengthy and exhaustive debate on this question in the House a year ago. He can hardly expect me in the course of a reply to a question to bring the facts and figures and other statements made in the course of that debate up to date.

Mr. Lalchand Navalrai: Has any further step been taken since then?

The Honourable Sir Frank Noyce: If my Honourable friend will study the debate, he will see the lines on which Government are acting and on which they have since then continued to act.

Mr. V. V. Giri: May I ask the Government to supply information and statistics relating to unemployment in India?

The Honourable Sir Frank Noyce: I regret that I am unable to furnish my Honourable friend the information for which he asks: he probably knows as well as I do that there are no unemployment statistics.

Mr. V. V. Giri: Are Government aware that Sir M. Visweshwarayya has published a book in which he stated that there are 40 million unemployed in this country?

The Honourable Sir Frank Noyce: No: I cannot say that I have seen the statement to which my Honourable friend refers.

Mr. S. Satyamurti: May I know if Government have taken or propose to take any steps to relieve unemployment in this country?

The Honourable Sir Frank Noyce: I can only refer my Honourable friend once more to the debate last year, and he will see what Government have done and what Government are doing.

RE-EMPLOYMENT OF RETRENCHED STAFF OF STATE RAILWAYS.

59. ***Khan Bahadur Makhdum Syed Rajan Bakhsh Shah:** (a) Will Government please state how many employees, Muslims and non-Muslims (separately), were retrenched in the Railway Department of the Indian State Railways during the past five years from among the menials, superior staff and officers, respectively and how many of them have so far been re-employed?

(b) How many new recruits (Muslims and non-Muslims, separately) were engaged during the above period and what were the circumstances which led to this new recruitment in the face of the surplus retrenched hands waiting on the list?

Mr. P. R. Rau: (a) and (b). The information in the possession of Government is contained in a statement laid on the table of the other House on the 20th February, 1933, and contained in pages 78 and 74 of Volume I of the Council of State Debates, 1933. Government regret they are unable to collect the further detailed information required as it will entail expenditure of time and labour hardly commensurate with its value.

CONTEMPLATED APPOINTMENT OF A DEPUTY GOVERNOR FOR SIND.

60. ***Mr. Nabi Baksh Illahi Baksh Bhutto:** Will the Honourable the Home Member be pleased to state:

- (a) whether Government contemplate appointing a Deputy Governor for Sind, in pursuance of the recommendation made by the Sind Administration Committee, pending the inauguration of the ensuing reforms; if so, when and whom;
- (b) what would be the constitution of the Sind Government in the event of her administration being separated for the transitional period as foreshadowed by the Sind Administrative Committee?

The Honourable Sir Nripendra Sircar: (a) The reply to the first part of the Honourable Member's question is in the negative. So far as I am aware the Sind Administrative Committee made no such recommendation.

(b) As regards the second part I invite the Honourable Member's attention to the provisions in this respect in the Government of India Bill.

GRIEVANCES OF MUSLIM POSTAL EMPLOYEES IN SIND.

61. ***Mr. Nabi Baksh Illahi Baksh Bhutto:** (a) Will Government be pleased to state whether their attention has been drawn to a publication of the Sind Branch of the *Muslim Post* and R. M. S. Employees Union, entitled the *S. O. S.*, in which the conduct of the officers concerned in respect of their treatment of Muslim subordinates has been seriously impeached?

(b) Have Government instituted any enquiry into the grievances contained in the above publication? If so, will they please place the papers of enquiry on the table; and if not, why not?

The Honourable Sir Frank Noyce: (a) Government have seen the publication referred to.

(b) The reply to the first part of the question is in the negative. Government took no action on the publication as it emanated from a body which had not been recognised by Government.

BAD CONDITION OF THE TOMB OF SULTAN MAHMUD BAKHRI IN SUKKUR.

62. *Mr. Nabi Baksh Illahi Baksh Bhutto: Will Government be pleased to state:

- (a) whether they are aware that the tomb of Sultan Mahmud Bakhri is lying in a very bad condition at a little distance from the Minaret of Meer Massum in Sukkur, Sind;
- (b) whether they are aware that Sultan Mahmud Bakhri occupies a most prominent place in the history of Sind as her ruler for nearly half a century and a father-in-law and Omerah of Emperor Akbar;
- (c) whether they are aware that the cost over repairs to and maintenance of his tomb would be very small; and
- (d) whether they are prepared to consider the desirability of declaring it as a protected monument?

Mr. G. S. Bajpai: (a) The tomb of Sultan Mahmud Bakhri is not a protected monument and Government are not aware of its condition.

(b) I am aware that the Sultan was a ruler of Bhakhar but regret that I am unable to add anything with certainty on the subject of his relationship with Emperor Akbar.

(c) and (d). Enquiries are being made about the monument and if it is identified with certainty and possesses architectural interest, the question of its protection under the Ancient Monuments Preservation Act will be considered.

Mr. Lalchand Navalrai: May I know from the Honourable Member if the Minaret of Meer Massum, as mentioned in clause (a) of the question is under protection?

Mr. G. S. Bajpai: I have said that this particular monument, of which I presume the Minaret of Massum in Sukkur is a part, is not protected.

Mr. Lalchand Navalrai: I believe it is not a part, and, therefore, I put the question.

Mr. G. S. Bajpai: My Honourable friend's local knowledge is greater than mine: if it is not a part, then all I can say is that even so the information that I have, shows that it is not protected.

TRANSFER OF SINDHIS WORKING IN THE NORTH WESTERN RAILWAY WORKSHOP AT SUKKUR TO LAHORE AND OTHER PLACES.

63. *Mr. Nabi Baksh Illahi Baksh Bhutto: Will the Honourable Member for Railways be pleased to state:

- (a) whether it is a fact that some months back a large number of staff working in the North Western Railway Workshop at Sukkur were transferred to Lahore and other distant places;
- (b) the number of Sindhis and non-Sindhis involved in the above change;

- (c) the reasons for not detaining Sindhis in Sindh and for not shifting non-Sindhis to places outside Sind in cases in which they stood on equal footing in respect of qualifications and the nature of work; and
- (d) the number of Sindhi Muslims and Muslims in general, respectively involved in the above changes?

Mr. P. R. Rau: I have called for information required and will lay a reply on the table of the House in due course.

SELECTION OF THE SECRETARY OF THE INDIAN MEDICAL COUNCIL.

64. ***Dr. G. V. Deshmukh:** (a) Will Government please state whether the post of the Secretary of the Medical Council of India to be filled in as contemplated in section 9 (2) of the Indian Medical Council Act, 1933, was advertised and if so, in which papers?

(b) How many applications were received for this post from Indians and how many from non-Indians?

(c) Who constituted the Selection Board and on what qualifications was the selection made?

Mr. G. S. Bajpai: (a) No.

(b) Does not arise.

(c) Government selected from among several candidates the most suitable.

Dr. G. V. Deshmukh: May I know why it was not advertised?

Mr. G. S. Bajpai: The reason is that Government wanted somebody with recent and first-hand experience of higher medical education in Great Britain both as an Inspector and as a Visitor to the Universities: that was the reason why they felt that the field of selection was limited and they chose the best man they could get.

Mr. M. S. Aney: What salary does this post carry?

(No reply.)

SELECTION OF THE SECRETARY OF THE INDIAN MEDICAL COUNCIL.

65. ***Dr. G. V. Deshmukh:** Will Government please state the name and age of the Secretary of the Medical Council who has been selected, and his special and academic qualifications and pay? If a non-Indian has been selected, what are the reasons for not appointing an Indian?

Mr. G. S. Bajpai: The information desired by the Honourable Member is laid on the table. As regards the second part of his question, I would refer him to the answer just given by me to part (c) of his question No. 64.

Statement.

The Secretary of the Medical Council of India is Mr. Farquhar Macrae. He is 62 years of age, and his pay is Rs. 2,225 per mensem. He possesses the M.B., C.M. degree of the Glasgow University and is a Fellow of the Association of Surgeons of Great Britain and Ireland. Before his appointment as Secretary to the Medical Council of India he was Consulting Surgeon to the Western Infirmary of Glasgow. He has had wide experience as an Examiner and as an official Inspector of Surgery in England.

Dr. G. V. Deshmukh: May I know whether no member competent to take this job was found even in the Indian Medical Service?

Mr. G. S. Bajpai: We did consider the names of one or two officers of the Indian Medical Service, but we came to the conclusion that the importance of securing somebody with very recent experience of medical examinations in England was paramount.

DUTIES OF THE SECRETARY OF THE INDIAN MEDICAL COUNCIL.

66. ***Dr. G. V. Deshmukh:** (a) Will Government please state the duties of the Secretary of the Medical Council of India?

(b) What are the duties of an Inspector of the Council?

(c) Will Government please state whether in India the Secretary of the Medical Council has also been appointed an Inspector, and the reasons for doing the same?

(d) Will Government please state whether in any civilised country the Secretary of the Medical Council has also been appointed its Inspector?

Mr. G. S. Bajpai: (a) The Honourable Member is referred to the Regulations published in Government of India, Department of Education, Health and Lands, Notification, No. F-43-1/34-H, dated the 26th January, 1934, a copy of which has been placed in the Library of the House.

(b) I would refer the Honourable Member to section 16 of the Indian Medical Council Act.

(c) Yes. Under section 16 of the Indian Medical Council Act the appointment rests with the Executive Committee and not with Government.

(d) Yes, in India. Government have no information about other countries.

Dr. G. V. Deshmukh: Can the Honourable Member say that in any civilised country the Secretary of the Council is appointed as an Inspector, except in India.

Mr. G. S. Bajpai: Well, I have given my Honourable friend information about India which, I maintain, is a civilised country. (Laughter.) As regards other countries, I have confessed my ignorance.

APPOINTMENT OF THE SECRETARY OF THE INDIAN MEDICAL COUNCIL AS ONE OF ITS INSPECTORS.

67. ***Dr. G. V. Deshmukh:** (a) Will Government please state if it is a fact that the Medical Council of India at its adjourned meeting held at Delhi on the 10th March, 1934, passed a resolution to the effect that the Secretary of the Medical Council of India cannot be an Inspector?

(b) How many members voted for this resolution and how many against it?

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

(b) Fifteen for and nine against.

Dr. G. V. Deshmukh: Can the Honourable Member inform this House as to why the President went against the decision of the Council that the Secretary should not be appointed as an Inspector?

Mr. G. S. Bajpai: I think, Sir, that my friend has got a question on that subject later on as regards the appropriateness of the admission of this motion by the President.

MEETINGS OF THE INDIAN MEDICAL COUNCIL.

68. *Dr. G. V. Deshmukh: (a) Will Government please state if it is a fact that the Medical Council of India at its meeting held on the 9th March, 1934, decided to hold the next meeting of the Council at the end of October or beginning of November, 1934?

(b) Is it a fact that in spite of this decision of the Council, the President of the Council convened the next meeting of the Council on the 12th of June, 1934? If so, why was the Council's decision disregarded?

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

(b) Yes. The date was changed to consider a matter of urgent importance and was fixed after all members had been consulted by telegram as to its suitability.

Dr. G. V. Deshmukh: Can the Honourable Member tell me whether there is provision for this in the Act, or a meeting can always be held according to the directions given by the Indian Medical Council?

Mr. G. S. Bajpai: Well, Sir, the position as regards that is that no legislation can provide for emergencies. When an emergency arises, it is for the President to decide, in consultation with the Council, what action should be taken.

Dr. G. V. Deshmukh: Can the Honourable Member tell me what emergency had arisen when the Council had passed a Resolution that the Secretary should not be appointed as an Inspector?

Mr. G. S. Bajpai: No, Sir, that is not the point. The Council had made a Regulation on the subject suggesting that the Secretary shall not be an Inspector. That Regulation was submitted to the Governor General in Council whose approval was necessary in order to invest it with validity. The Governor General in Council returned that Regulation for reconsideration by the Council, and that necessitated a re-summoning of the Council.

Dr. G. V. Deshmukh: Can the Honourable Member tell me what was the nature of the emergency?

Mr. G. S. Bajpai: That, Sir, is presumably a question which can best be answered by the President of the Council, of which my Honourable friend is a very distinguished Member. I take it that the President came to the conclusion that the matter of the appointment of an Inspector was of such importance that he should call another meeting of the Council to consider the matter.

ADMISSIBILITY OR OTHERWISE OF MOTIONS AT MEETINGS OF THE INDIAN MEDICAL COUNCIL.

69. ***Dr. G. V. Deshmukh:** (a) Will Government please state if it is a fact that under regulation 4 (1) (b) of Part I of the Regulations made by the Governor General in Council in exercise of the powers conferred by subsection (2) of section 18 of the Indian Medical Council Act, 1933, "a motion shall not be admissible if it raises substantially the same question as a motion or amendment which has been moved or withdrawn with the leave of the Council within one year of the date of the meeting at which it is designed to be moved"?

(b) Is it a fact that in spite of this regulation the President of the Council allowed, at its meeting held at Simla on the 12th June, 1934, a motion to be moved by one of its members which raised substantially the same question that was moved at its meeting held at Delhi on the 10th March, 1934, namely, the question of appointment of the Secretary of the Council as one of its Inspectors?

(c) If the answer to part (b) be in the affirmative, what steps, if any, do Government propose to take against the President for his action?

Mr. G. S. Bajpai: (a), (b) and (c). The Honourable Member is referred to the reply given by me on the 19th July, 1934, to Mr. Mitra's question No. 122.

Dr. G. V. Deshmukh: The same question was raised at the time of the meeting of the Indian Medical Council in Simla, and against the rules in the Act it was declared to be out of order by the President. Can the Honourable Member tell me as to why this was admitted against the rules of the Indian Medical Council Act?

Mr. G. S. Bajpai: Sir, the legal position was fully explained by me in reply to the question to which I have already referred. I would only briefly mention for the information of the House that the question of the admissibility of a motion or the interpretation of a Regulation is finally determinable by the decision of the President under regulation 22 of the Regulations. He exercised that discretion in that particular way.

Dr. G. V. Deshmukh: Is the Honourable Member aware that the President of the Council was asked to take legal opinion on this, because it was a disputed question, and the President of the Council did not take this into consideration?

Mr. G. S. Bajpai: I believe, Sir, that the question of the validity of admission was raised in the Council meeting, and my friend is also correct in saying that the President was asked to take legal opinion, but what action the President has taken, it is not for me to say. I am answering the question as to what the legal position was.

Dr. G. V. Deshmukh: If the legal position was wrong, do the Government propose to take further action in the matter?

Mr. G. S. Bajpai: No, Sir. I think my friend is not correct in assuming that the legal position is wrong. I have already stated that the decision of the President under regulation 22 of these Regulations as to the admissibility of a motion is final.

MODE OF APPOINTMENT OF THE EXECUTIVE COMMITTEE OF THE INDIAN MEDICAL COUNCIL.

70. ***Dr. G. V. Deshmukh:** (a) Will Government please state if any regulations have been made by the Medical Council with the previous sanction of the Governor General in Council to provide for the mode of appointment of its Executive Committee? If so, when?

(b) Will a copy of these regulations be put on the table of this House?

(c) If the answer to part (a) be in the negative, under what rules and regulations is the Executive Committee functioning?

Mr. G. S. Bajpai: (a) Government have received no regulations on this subject from the Medical Council.

(b) Does not arise.

(c) The attention of the Honourable Member is invited to the reply given by me on the 19th July, 1934, to part (d) of Mr. Mitra's question No. 123.

Dr. G. V. Deshmukh: Is the Honourable Member aware that the sanction of the Governor General of India is required for every provision in the Act, and that, accordingly, even this sanction of the Governor General came for the quorum of the Council as well, whereas in this case no sanction has been provided for for the mode of appointment of the Executive Committee?

Mr. G. S. Bajpai: I think, Sir, it would be best if I briefly recapitulated what I said on the last occasion after full consideration and consultation with legal experts. Under section 18(2), a Regulation on this subject might have been made, but was not made by the Governor General in Council. No Regulation for the making of appointments to the Executive Committee was in force at the time, but the Council, in deciding to proceed in a particular manner, was not framing a Regulation under section 18, but was taking an *ad hoc* decision as to the mode of proceeding in the absence of a Regulation. It was open to the Council in the exercise of its power to constitute an Executive Committee, and in the absence of a Regulation to take the action which it took in appointing the Committee in a particular manner.

Dr. G. V. Deshmukh: Is the Honourable Member aware that a very novel procedure of appointing the Executive Committee was started in the Indian Medical Council?

Mr. G. S. Bajpai: Well, Sir, in that case my friend was a party to perpetrating a novelty.

DELAY IN THE PUBLICATION OF MR. MENON'S REPORT ABOUT THE GRIEVANCES OF INDIANS IN ZANZIBAR.

71. ***Dr. G. V. Deshmukh:** (a) Will Government please state why the publication of the report by Mr. Menon, about the grievances of Indians in Zanzibar, is being delayed?

(b) What steps do Government propose to take to remove the grievances of the Zanzibar Indians, and what progress have they made in this direction?

Mr. G. S. Bajpai: (a) Mr. Menon's report was published in a Gazette of India Extraordinary, dated the 28th January, 1935.

(b) The attention of the Honourable Member is invited to the relevant portion of the address of His Excellency the Governor General to the Members of this House on the 24th January, last.

Dr. G. V. Deshmukh: Will the Honourable Member inform this House as to what progress has been made in that direction?

Mr. G. S. Bajpai: The position is that we are awaiting the considered views of the Colonial Office on the representation which we addressed to them. We have not yet got their reply.

Dr. T. S. S. Rajan: Have the Government of India made any representation to the Colonial Government on this question?

Mr. G. S. Bajpai: They made a representation to the Colonial Office as early as the end of November last.

Prof. N. G. Ranga: Have they received any reply?

Mr. G. S. Bajpai: I have already said that we have not yet got a reply.

REMOVAL OF THE LEGAL DISABILITIES OF WOMEN AS REGARDS MARRIAGE AND INHERITANCE OF PROPERTY.

72. ***Dr. G. V. Deshmukh:** (a) Are Government aware of the demand of the women in British India for the appointment of a Commission to consider ways and means for the early removal of the legal disabilities of women as regards marriage and inheritance of property and to recommend such amendments to the existing laws as will make them just and equitable?

(b) Do Government intend to give effect to this demand? If so, when? If not, why not?

The Honourable Sir Henry Crank: (a) Government have received representations on the subject of women's disabilities.

(b) No; because Government do not consider the appointment of a Commission the proper way to deal with the matter.

Dr. G. V. Deshmukh: Can the Honourable Member tell me whether or not there are any disabilities, and if there are any, then is it not the duty of the Government to proceed with the matter?

The Honourable Sir Henry Crank: Sir, I think it is common knowledge that women suffer under certain disabilities regarding inheritance and so on, but all I say is that it is not a matter which, in the opinion of the Government, should be dealt with by the appointment of a Commission.

Munshi Iswar Saran: What other steps do Government propose to take for the removal of the disabilities which the Honourable Member admits are in existence?

The Honourable Sir Henry Craik: The matter is one which, in the opinion of the Government, should be dealt with by legislation by means of private Members' Bills.

Munshi Iswar Saran: Is it not open to the Government to bring forward Bills themselves if they are convinced that these disabilities exist?

The Honourable Sir Henry Craik: The question is, it appears to me, a very thorny one, on which a good many people hold widely divergent views, and I think it is better that it should be brought forward by way of a private Member's Bill.

Munshi Iswar Saran: Are we to understand that Government will in future only bring forward Bills about which there is more or less general unanimity in the public?

The Honourable Sir Henry Craik: No, obviously not on all questions, but on matters in which social and religious feelings are deeply involved, I think that is the general position.

SEPARATION OF SIND.

73. ***Seth Haji Abdoola Haroon:** (a) Has the attention of Government been drawn to the Sind Administrative Committee Report 1934, paragraph 189, which runs as follows:

"For these reasons, we suggest that an interval between a decision to separate Sind and the setting up of the new responsible Sind Government should be utilized as far as possible in bringing into working order the necessary administrative arrangements. This implies the setting up of a separate administration in Sind, not subordinate to Bombay, of such a kind as will be able to speak authoritatively for Sind, and can be relied on to safeguard the financial interests of the Central Government in all matters, but particularly in connection with the Barrage debt. It is outside our province to consider this matter further, but it must be clear to all that once a decision to separate Sind is taken, the continuance of the present form of administration any longer than necessary can hardly be satisfactory to Sind, to Bombay, or to the Central Government."

(b) If so, will Government be pleased to state when Sind is going to be separated?

(c) What steps are Government going to take to bring into working order the necessary administrative arrangements for the separate province of Sind?

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) and (c). I am not in a position to make any statement supplementary to the provisions of the Government of India Bill. The question whether or not Sind will be separated is still a matter for Parliament to decide.

Seth Haji Abdoola Haroon: There is a Bill no doubt which has not yet been decided, but, in the meantime, are Government taking into consideration the recommendations of the Sind Administrative Committee and arranging machinery for the future Sind Government?

The Honourable Sir Nripendra Sircar: We are not in a position to do anything unless we know the final decision of Parliament in this matter.

Mr. Lalchand Navlral: May I know from the Honourable Member if the Government of India take it as settled that Sind is going to be separated, or these hypothetical questions should not be answered?

(No reply.)

ADJUSTMENT OF ACCOUNTS AFTER THE SEPARATION OF SIND.

74. *Seth Haji Abdoola Haroon: Will Government be pleased to state whether it is a fact that after separation of Sind, the accounts with Bombay will be adjusted, and if so, in what manner the adjustment will be effected?

The Honourable Sir James Grigg: It will undoubtedly be necessary to adjust the accounts with Bombay after the separation of Sind assuming that it takes place. The manner of the adjustment is being considered by the Accounts Officers concerned.

ADJUSTMENT OF ACCOUNTS AFTER THE SEPARATION OF SIND.

75. *Seth Haji Abdoola Haroon: Will Government be pleased to state whether they have considered the question of the appointment of an independent commission of experts on finance and economics, who should go through the Bombay Government accounts and side by side get evidence from the representatives of both Sind and Bombay Governments and from those of the people, in order to decide their course of action as to what portion of debts, pensions, etc., should be payable by Sind, after having deducted the asset values which Bombay Government enjoys? If so, with what result?

The Honourable Sir James Grigg: Again, with a general reservation, assuming that the decision of Parliament is in favour of separation, the distribution of debt and pensionary charges is being examined by the Accountant-General, Bombay. Since this is largely a question of accounting, the Government of India do not consider it necessary to adopt the procedure suggested by the Honourable Member.

Mr. Lalchand Navalrai: May I know from the Honourable Member if there are any orders from the Secretary of State to do anything in anticipation of the separation of Sind?

The Honourable Sir James Grigg: Not that I am aware of; but if the Honourable Member will put down a question on the paper, I will give him an answer.

RATE OF INTEREST ON SUKKUR BARRAGE DEBTS.

76. *Seth Haji Abdoola Haroon: Will Government be pleased to state the rate at which they have charged interest on Barrage debts of 1932-33, 1933-34, and 1934-35, respectively?

The Honourable Sir James Grigg: On loans taken during the three years mentioned by the Honourable Member, the rate of interest charged is as follows:

1932-33	5½ per cent.
1933-34	4½ per cent.
1934-35	3½ per cent.

SALES, LEASES, ETC., OF LANDS IN THE SUKKUR BARRAGE AREA.

77. *Seth Haji Abdoola Haroon: (a) Will Government be pleased to state whether their attention has been drawn to the Report of the Sind Administrative Committee 1934, paragraph 77-A, which runs as follows:

“Here, we may mention another fact connected with the receipts on account of land sales and leases, which has come to our notice and which we feel bound to

comment upon, as it appears to us to be open to question. Prior to 1932-33, receipts from the sales, leases, etc., of lands in the Barrage Area were not utilised even towards payment of interest on capital. It appears that they merged in the general revenues of the Government of Bombay, but we have not been able to ascertain the reasons for this appropriation. The amount involved was about Rs. 12½ lakhs. In our opinion it should have been credited to the Loan Account in the same way as the receipts of 1932-33."

(b) If the reply to part (a) above, be in the affirmative, what action have Government taken to give effect to the suggestion contained therein?

The Honourable Sir James Grigg: With your permission, Sir, I shall answer this question and questions Nos. 78 and 79. The attention of Government has been drawn to the paragraphs quoted by the Honourable Member from the report of the Sind Administrative Committee, and the points raised by the Committee have recently been the subject of a special enquiry by the Accountant-General, Bombay, working under the supervision of the Auditor-General. The matter is still under discussion with the Government of Bombay.

SURPLUS OVER WORKING EXPENSES IN THE SUKKUR BARRAGE CANALS.

†78. ***Seth Haji Abdoola Haroon:** (a) Has the attention of Government been drawn to paragraphs 79 and 80 of the Sind Administrative Committee Report 1934, which runs as follows:

Para 79: "We are surprised, however, to find that in 1932-33, the very first year of the working of the Barrage Canals, although there was, contrary to anticipations, a net surplus of Rs. 19.86 lakhs over working expenses, the surplus was allowed to merge in the general revenues of the Government of Bombay instead of being utilized towards part payment of the unpaid interest, on capital. Here again, we see a charge made against the Capital (Loan) Account of the Barrage by utilising in relief of general revenues a sum to which those revenues have no claim, whilst a liability of the Capital Account awaits to be honoured."

Para. 80: "The Budget for 1934-35 just laid before the Legislative Council of Bombay shows that even in the accounts of 1933-34 and 1934-35 it is not proposed to utilize the net revenue from the Barrage system either towards payment of interest or towards repayment of debt. We understand that the estimated figures for these years are Rs. 27.27 and Rs. 21.87 lakhs. On this basis, by the end of 1934-35 the amount of Barrage earnings (gross revenue minus working expenses) appropriated to general revenues will be Rs. 69 lakhs as shown below :

Year.	Amount. Lakhs of Rs.
1932-33 (Kharif season only)	19.86
1933-34 (Revised Estimate)	27.27
1934-35 (Budget Estimate)	21.87
TOTAL	69.00

The revenue accounts of the Government of Bombay for 1932-33 closed with a surplus of Rs. 26.21 lakhs and the revenue surpluses estimated for 1933-34 and 1934-35 amount respectively to Rs. 70,000 and Rs. 3.9 lakhs only. It is obvious, therefore, that the Barrage revenues are playing a great part in avoiding the revenue deficits of the Government of Bombay and in balancing its budget. We cannot, however, see how the audit authorities and the Public Accounts Committee will accept this book-keeping, involving as it does the utilisation, for avoidance of fresh non-productive debt, of earnings derived from earlier productive debt, without first meeting the legitimate accruing liability of the latter debt. We trust that this question will receive the most urgent and serious consideration of the highest authorities, without waiting for the decision of the question of separating Sind."

(b) What action have Government taken, or propose to take, in the matter?

† For answer to this question, see answer to question No. 77,

DEBTS INCURRED ON THE SUKKUR BARRAGE SCHEME.

179. *Seth Haji Abdoola Haroon: (a) Will Government be pleased to state whether their attention has been drawn to paragraph 82 of the Report of the Sind Administrative Committee 1934 which runs as follows:

Para. 82: "The total outstanding debt (both principal and accumulated interest) at end of 1933-34 should be split up into a number of sections as indicated below:

Serial No.	Section.	Amount of principal.	†Amount of interest accumu- lated to end of 1933-34.
	GOVERNMENT OF INDIA ACCOUNT.		
(i)	Capital expenditure (direct as well as indirect) recoverable from the Government of India on account of their share of the capital cost of the Barrage project in connection with irrigation in Nasirabad tahsil in Baluchistan.		
	‡KHAIRPUR STATE ACCOUNT.		
(ii)	Capital expenditure recoverable from Khairpur State on account of its share of the capital cost of the Barrage project.		
	SIND ACCOUNT.		
(iii)	Capital expenditure recoverable by sale of surplus plant anticipated sale proceeds of plant less: (1) cost of reconditioning it before sale, and (2) cost of sales organisation. (The gross and net figures and also the deduction should be shown separately.)		
(iv)	Recoverable capital expenditure (including indirect charges) on water courses and rectangulation.		
(v)	Barrage debt to be redeemed by proceeds from sales and leases of Barrage lands, including lands acquired for the Barrage works.		
(vi)	Barrage construction debt to be redeemed from other provincial resources.		

‡The amount of interest attributable to each section is probably not ascertainable readily. If so, the total amount out-standing should be apportioned on some equitable basis.

§These should be understood to include not only charges directly incurred for works required for irrigation in Nasirabad Tahsil and in the Khairpur State respectively, but also a proportionate share of any works carried out, or to be carried out in future, outside those areas, if such works are essential for the service, safety or development either of the Barrage canals generally, or of the Nasirabad tahsil and Khairpur State in particular. There would, for example, be included a share of the expenses incurred on the investigation and carrying out of sub-soil drainage works, and of the Manchar Drainage Scheme in so far as it pertains to the disposal of flood waters from the North."†

(b) If so, what action do Government propose to take in the matter?

† For answer to this question, see answer to question No. 77.

AIR MAIL SERVICE BETWEEN LAHORE AND DELHI.

80. ***Mr. Fakir Chand:** (a) In view of the great advance made in European countries in civil aviation, will Government please state the progress of feeder services in India between principal towns?

(b) Is there a regular service of passengers and mails between Lahore and Delhi? If not, do Government propose to consider the desirability of inaugurating such services weekly or bi-weekly?

The Honourable Sir Frank Noyce: (a) The following air services are at present in operation in India:

- (1) The trans-India service between Karachi and Rangoon, *via* Jodhpur, Delhi, Cawnpore, Allahabad, Calcutta and Akyab. The service is operated jointly by the Imperial Airways, Limited, and the Indian Trans-Continental Airways, Limited, as a part of the Empire air service between England and Australia. The section between Karachi and Calcutta is operated twice a week and the remainder once a week.
- (2) A service, twice a week, between Karachi and Madras, *via* Ahmedabad, Bombay and Hyderabad (Deccan), connecting with the Croydon-Karachi service. The service is operated by Tata Sons, Limited.
- (3) A service, twice a week, between Karachi and Lahore, *via* Sukkur and Multan, connecting with the Croydon-Karachi service. The service is operated by the Indian National Airways, Limited.
- (4) A service, twice a week, between Calcutta and Rangoon, *via* Chittagong, Akyab and Bassein. The service is operated by the Indian National Airways, Limited. The second service connects with the duplicate service between Karachi and Calcutta operated by the Indian Trans-Continental Airways and Imperial Airways.
- (5) A daily service between Calcutta and Dacca operated by the Indian National Airways, Limited.

In addition the Irrawaddy Flotilla and Airways, Limited, a new company recently constituted in Burma, is operating experimental air services between Rangoon and Moulmein and Rangoon and Mandalay.

It is expected that the Karachi-Madras service will be extended to Colombo in the near future.

(b) There is at present no regular air service between Lahore and Delhi and Government do not contemplate that such a service will be operated until it is proved that there is a prospect of its proving a financial success. The matter is one for private enterprise.

OPENING OF THE RAILWAY LINE BETWEEN DURAHA AND RUPAR NALAGARH.

81. ***Mr. Fakir Chand:** (a) Is it a fact that there was a railway line between Duraha (near Ludhiana) and Rupar Nalagarh some years ago?

(b) Is it a fact that the line was constructed for the purpose of facilitating communications between the western districts of the Punjab and Simla?

(c) Is it a fact that the idea was that the trade of sugarcane, grains and other commodities of the Ludhiana and other districts might be increased and get some encouragement?

(d) Was the railway line closed as soon as the stones needed for the Sutlej Valley Project were not required?

(e) Do Government propose to bear in mind this project of 38 miles when other railways are opened?

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

(b) and (c). No. The line was constructed by the Punjab Irrigation Department for the purpose of carrying stone from the Nalagarh quarries for the Sutlej Valley Project.

(d) Yes.

(e) The line was never intended to be permanent and now that the Sirhind Rupal line has been constructed, there seems no necessity for it to be revived.

AMOUNT RAISED FROM THE ADDITIONAL TAX ON PETROL FOR THE ROAD FUND.

82. ***Mr. Fakir Chand:** Will Government kindly inform this House of the amount of money raised from the additional tax on petrol for the road fund during the last three years?

The Honourable Sir Frank Noyce:

	Rs.
1931-32	102·01 lakhs.
1932-33	101·77 "
1933-34	108·52 "

DEBTS INCURRED ON THE SUKKUR BARRAGE SCHEME.

83. ***Seth Haji Abdoola Haroon:** Will Government be pleased to state the total amount of debt incurred on the Barrage Scheme till the 31st March, 1934?

The Honourable Sir James Grigg: Approximately Rs. 24 crores.

SALES, LEASES, ETC., OF LANDS IN THE SUKKUR BARRAGE AREA.

84. ***Seth Haji Abdoola Haroon:** (a) Will Government be pleased to state:

- (i) the total area covered by the Barrage;
- (ii) the total area already sold in the Barrage area either on instalments or on full payments along with the amount realised; and
- (iii) the total area which has lapsed to Government on account of failure to recover the instalments?

(b) What is the area still left for sale?

(c) What is the total area given on lease? How many acres were given for *yak sala* (one year lease) and how many acres for five, ten, or twenty years?

The Honourable Sir Frank Noyce: The Government of India are not directly concerned with the details of the administration of the Lloyd Barrage and Canal Construction Scheme, and I am, therefore, unable to supply the information asked for by the Honourable Member.

Mr. Lalchand Navarai: May I know from the Honourable Member how far the Government of India are concerned in the Barrage itself?

The Honourable Sir Frank Noyce: To the extent of Rs. 24 crores, I believe. (Laughter.)

PUBLICATION OF THE REPORT OF THE INDIAN DELEGATION TO THE LEAGUE OF NATIONS.

85. ***Dr. Ziauddin Ahmad:** (a) Will Government be pleased to mention the probable date by which the report of the Indian Delegation to the League of Nations will be published?

(b) Do Government propose to give an opportunity to the Assembly to discuss the report?

(c) Who were the members of the Delegation?

(d) What is the number of the entire staff of the Delegation?

(e) What is the total cost of the Delegation and what portion of the expenditure was paid by the Government of India?

(f) Was any contribution made by the Indian States or Home Government?

The Honourable Sir Nripendra Sircar: (a) The report was published in the Gazette of India of the 26th January.

(b) The Honourable Member is referred to my reply to his own question No. 572 asked on the 14th August, 1934.

(c) His Highness the Aga Khan, Sir Denys De S. Bray, Sir V. T. Krishnama Chari and Sir Homi Mehta.

(d) The staff which was provided by the India Office included, as shown by the statement on pages 16 and 17 of the Special Supplement to the Official Journal, a copy of which is in the Library, one Secretary General, one Assistant Secretary General and one Secretary. It is probable that two stenographers and a messenger were also provided by the India Office.

(e) The whole of the cost is borne by Indian Revenues. The actual expenditure incurred in England is not available, but the revised estimate was £2,550. Expenditure amounting to Rs. 726-15-0 has been incurred in India.

(f) No.

Munshi Iswar Saran: Who was the Leader of the Delegation?

The Honourable Sir Nripendra Sircar: H. H. The Aga Khan.

Dr. Ziauddin Ahmad: The answer to which reference is made was given before the Delegation wrote its report, and I refer to the report mentioned in part (a) of the question.

The Honourable Sir Nripendra Sircar: Part (b) is:

"Do the Government propose to give an opportunity to the Assembly to discuss the report?"

Dr. Ziauddin Ahmad: The report which is mentioned in part (a)

The Honourable Sir Nripendra Sircar: I am afraid I do not follow my Honourable friend. Part (b) of the question is:

"Do Government propose to give an opportunity to the Assembly to discuss the report?"

and if the Honourable Member will only consult the last answer I gave, that will cover this report also.

Dr. Ziauddin Ahmad: But the answer was given at a time when the report had not been written out and was not in the hands of the Government or of any other person. It was given in the month of August, and the Assembly of the League sat in September.

The Honourable Sir Nripendra Sircar: It is clear that the Honourable Member has forgotten what question he put and what answer he got, the date of the report makes no difference in the situation.

Mr. N. M. Joshi: May I request the Honourable Member to read the reply? I did not follow him.

The Honourable Sir Nripendra Sircar: Does my Honourable friend want the reply which was given on the 14th August, 1934?

Mr. N. M. Joshi: Today asking for an opportunity for discussing the report.

The Honourable Sir Nripendra Sircar: My Honourable friend's recollection is better than mine, and I am afraid I cannot reproduce exact words of what I have said. The answer which was given on the 14th August will apply to the question which my Honourable friend put today.

Mr. F. E. James: I can refresh my Honourable friend's memory. The reply at that time was that it was open to any Member to move a motion that the report be taken into consideration. To that I asked a supplementary question whether, in view of the difficulty that private Members have in getting a Resolution like that tabled, the Government would not themselves table such a motion. The Honourable Member said that that matter was under the consideration of Government. Have the Government come to any decision on that point, or is it still under their consideration?

The Honourable Sir Nripendra Sircar: My recollection—and I speak subject to correction—my recollection is, I said that if there was a demand for it, Government would be prepared to consider it. Since then we have received no demand, and if a demand is made we shall certainly be prepared to consider the question of giving a day.

Mr. N. M. Joshi: May I ask in what form the demand should be made?

The Honourable Sir Nripendra Sircar: Couched in polite language. (Laughter.)

PERSONS DETAINED WITHOUT TRIAL.

86. ***Mr. Mohan Lal Saksena:** (a) Will Government be pleased to lay a statement on the table of this House giving the names of all the persons at present confined, without trial, with their respective ages and periods of detention?

(b) Do the Government of India or the Local Governments periodically examine their cases and consider the advisability of their release? If so, how often?

(c) Are there any non-official visitors appointed for the detention camps as is done in the case of jails?

(d) Do Government propose to consider the feasibility of appointing non-official members of this House as visitors for the detention camps?

(e) What facilities for reading are provided to detenus?

(f) Are any libraries attached to the detention camps? If so, what is the total number of books in them and how much money is annually spent for purchasing new books for the said libraries?

(g) Are Government prepared to give any facilities to the members of this House who desire to visit Andamans and see conditions for themselves?

The Honourable Sir Henry Craik: (a) The Government of India are concerned only with cases of persons (i) who are confined under Regulation III of 1818 and the corresponding Madras and Bombay Regulations, and (ii) who are committed to jail custody by orders of the Bengal Government passed under the Bengal Criminal Law Amendment Act, 1930, but who are detained in jails outside Bengal under the provisions of section 2 of the Bengal Criminal Law Amendment (Supplementary) Act, 1932. My reply to this and the other parts of this question is accordingly confined to such detenus and State Prisoners. There are at present 40 State Prisoners confined in jail under Regulation III of 1818.

These are the persons mentioned in items 2 to 18, 21 to 28 and 40 to 54 of the list laid on the table on the 14th August, 1934, in reply to question No. 555. Only one person is detained in jail under the provisions of the Madras State Prisoners Regulation, 1819. His name is Amir Haidar Khan. He was arrested on the 31st August, 1934. There are no persons detained in jail under the Bombay State Prisoners Regulation, 1827. 500 Bengal detenus are detained in jails outside Bengal in accordance with the provisions of section 2 of the Bengal Criminal Law Amendment (Supplementary) Act, 1932. Of these 497 are confined in the Deoli Camp Jail and the other three are in Jails in the Punjab. It would not be in the public interest to give the names of these persons.

(b) The cases of persons detained under the State Prisoners Regulations are reviewed twice a year in accordance with the terms of those Regulations. I understand that the Bengal Government review from time to time the cases of persons detained under section 2 of the Bengal Criminal Law Amendment Act, 1930.

(c) There are two non-official visitors for the Deoli Camp Jail, which is the only jail or detention camp for detenus with which the Government of India are concerned.

(d) The visitors are appointed by the Chief Commissioner, Ajmer-Merwara and not by the Government of India. One of them was a Member of the last Assembly.

(e) and (f). Subject to the approval of the Jail Superintendent, detenus may obtain books from outside the jail. 200 books at a time are supplied from certain libraries for the use of the detenus in the Deoli Camp Jail. An attempt was made to start a library at Deoli, but it was abandoned owing to the apathy on the part of the detenus themselves.

(g) There are no detenus or State Prisoners confined in the Andamans.

Mr. Mohan Lal Saksena: With reference to part (b), I want to ask which is the authority that reviews the cases?

The Honourable Sir Henry Craik: In the case of prisoners under the 12 Noos. State Prisoners Regulations, they are reviewed twice a year in accordance with the terms of those Regulations.

An Honourable Member: By whom?

The Honourable Sir Henry Craik: I think it is by the Government of India, but I am not sure. I cannot say for certain in the case of the Madras Regulation. I think it is by the Government of India.

Mr. Mohan Lal Saksena: Will the Honourable Member make inquiries and give the information later on?

The Honourable Sir Henry Craik: If the Honourable Member will speak to me, I shall look into the point and give him the information.

Mr. Sri Prakasa: May I ask whether the review is about their conduct in jail during the preceding six months or is it a review over and over again of what they may or may not have done before they were caught?

The Honourable Sir Henry Craik: Consideration is directed to the question whether it is safe in the interests of internal security to release the prisoners.

Mr. Sri Prakasa: May I take it that it is not a review of their cases, but a review of general security as understood by the Government of India?

The Honourable Sir Henry Craik: All relevant factors are taken into consideration.

Pandit Govind Ballabh Pant: Is it a fact that none of the visitors to the Deoli Camp Jail is a Member of this Assembly?

The Honourable Sir Henry Craik: The Members of this Assembly have for the most part only been Members of this Assembly for a very few weeks. One of the visitors was a Member of the last Assembly.

Pandit Govind Ballabh Pant: Is it the intention of Government to appoint one of the Members of the present Assembly as a member of this Committee?

The Honourable Sir Henry Craik: I will take that into consideration, but there are natural limitations on the practicability of that, because the non-official visitor in question must be a resident of the locality who is prepared to visit the camp which is in a rather remote place.

Pandit Govind Ballabh Pant: Will Government be pleased to appoint a Member of the Assembly from the Party to which I have the honour to belong, if he agrees to serve as such?

The Honourable Sir Henry Craik: I have already explained that the visitor is appointed by the Chief Commissioner of Ajmer-Merwara and not by the Government of India. I cannot undertake to advise the Chief Commissioner to appoint a member of any particular Party.

Mr. Mohan Lal Saksena: I have not been able to hear the reply to part (g).

The Honourable Sir Henry Craik: The reply was that there are no detenus or State Prisoners confined in the Andamans.

REPORT OF THE JOINT PARLIAMENTARY COMMITTEE ON
INDIAN CONSTITUTIONAL REFORM—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The question before the House is:

"That the Report of the Joint Committee on Indian Constitutional Reform be taken into consideration."

Mr. N. M. Joshi (Nominated Non-Official): During the short time at my disposal, I propose to examine the proposals of the Joint Parliamentary Committee from the point of view of the masses and the working classes of this country. While examining the proposals, I shall first see what powers of Self-Government are transferred from the British to Indian hands. Secondly, I shall also examine how the powers. . . .

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): On a point of order. I see that the Honourable Member in charge of the motion is not in his seat.

Mr. President (The Honourable Sir Abdur Rahim): That is not a point of order.

Mr. N. M. Joshi: Secondly, I shall examine how the powers of Self-Government transferred to Indian hands are distributed among the various sections of the people of this country. The working classes of this country are interested in Self-Government, but they do not want a mere change of masters. They are interested in seeing that they get their due share of the powers that may be transferred from the British

[Mr. N. M. Joshi.]

to the Indian hands. Thirdly, I shall examine the scheme from the point of view of the future prospects of its being developed into a scheme for full fledged Self-Government. The outlines of the scheme, proposed by the Joint Parliamentary Committee, consist, in the first place, of a kind of provincial responsible Government with special powers reserved to the Governor. The Honourable the Leader of the House, the other day, said that we need not imagine that all the Governors will be unreasonable men. Sir, I do not imagine that all the Governors will be unreasonable men, but, Sir, it will be equally admitted that all the Governors will not be angels. May I ask, Sir, if there is provision in the Bill for checking the unreasonableness of the Legislatures by the special powers of the Governors, what safeguard has been provided in the Constitution to protect the people against the unreasonableness of the Governors? Some of the special powers provided for the Governors in the new Constitution are not given to him even under the present Constitution in the transferred sphere. Moreover, Sir, if we are to consider the proposals from the point of view of the provinces, large portions of some of the provinces are excluded from the powers of the Legislatures; they are called "totally excluded or partially excluded areas". I am one of those people who feel and feel very strongly that every measure of protection should be given to the people of these excluded and partially excluded areas as they are the most backward sections of the community. But, what the Report provides is that these excluded areas shall be governed autocratically by officers belonging to the Civil Services. I feel, Sir, that if the Joint Parliamentary Committee wanted really to protect the backward communities of these excluded and partially excluded areas, they should have provided adequate representation in the Legislatures to the people of these areas. I would have even suggested that they should have even given a large amount of weightage to the people of these areas. I would have even suggested that the Government should have passed laws protecting the lands of these people, protecting these people against the impositions of usurers in these areas, but it is not the right kind of protection that these people should be denied the protection of the Legislatures that may be established in these provinces.

Sir, when we examine the powers transferred to Indian hands in the Central Government, we find that a Federation is to be established there, with some dyarchical form of responsibility, and with certain Departments reserved. The Army Department is to be reserved, the Foreign and Political Department is to be reserved, and so on. May I ask, if India is a member of the League of Nations—and we are always told that the Indian Delegation is free from the influences of the British Delegation,—why India should be denied the right to manage its own foreign affairs? Then, Sir, the Ecclesiastical Department is to be reserved. May I ask what is the need of an Ecclesiastical Department for India? In every city, in every town, almost everywhere, there is a church where the officers of Government can go and pray. I would, therefore, suggest that the Ecclesiastical Department should be abolished immediately.

Then, Sir, the Scheme proposes several safeguards and special powers. If there is any community in this country which requires safeguards, it is, I say, the working classes and the masses. May I ask what are the

safeguards provided for the masses and the working classes of this country? (Hear, hear.) I am not suggesting, Mr. President, that in order to safeguard the interests of the working classes and the masses, special powers should be given to the Governors and the Governor General. No, Sir, that is not my demand. If the Government of India and the British Parliament wanted to protect the interests of and to provide safeguards for the working classes of this country, they should have given them adequate representation in these Legislatures, but, Sir, the representation provided to the working classes is utterly inadequate. I shall speak about that later on, but, Sir, instead of providing safeguards to protect the interests of the masses and the working classes, the Joint Parliamentary Committee provides safeguards to protect the interests of the British community. Most of the safeguards are intended to protect whatever the British have in this country, to protect the rights of the British commercial community, to protect the rights of the British investors in this country, to protect the rights of the British services in this country! In order to protect these British interests in this country, they have provided safeguards to prevent commercial discrimination. Safeguards are provided by way of a Statutory Railway Board to protect the interests of British investors, and safeguards are provided in order that the currency and exchange policy of this country should not be against the interests of Great Britain. Sir, with all these safeguards, with all these special powers, and the reservations, the rights which have been transferred to India are merely illusory. I feel, Sir, that the Scheme, as a measure of self-government, is utterly inadequate. The proposals made by the Labour Members of the Joint Parliamentary Committee and put forward by Major Attlee, to my mind, are a great improvement upon what the Joint Parliamentary Committee has proposed, and, speaking personally, I feel that if the proposals of the Labour Members had been accepted by the Joint Parliamentary Committee, these proposals might have been accepted as a compromise even by India; but, Sir, the proposals of the majority of the Joint Parliamentary Committee are proposals which are based upon the distrust of the people of this country. My Honourable friend, Sir Leslie Hudson, the other day, said that these safeguards were necessary on account of certain statements made by certain classes of politicians in this country. I have ceased to belong to the Indian National Congress, but, Sir, it is not true to say that the special powers and safeguards have been included in the Scheme to prevent the mischief which may be caused by the Indian National Congress or any other class of politicians. The safeguards are provided in this Constitution, because the British people distrust the Indian people as a whole, including the Indian princes, and including the commercial and landed magnates in this country. If the Joint Parliamentary Committee had the least confidence in the Indian princes and the landed magnates of this country, where was the need for any reservations, for any special powers, for any safeguards, when one-third of the Members in the Lower House and when forty per cent. of the Members of the Council of State are to be the representatives of the Indian princes, with the representation of the Europeans added to them? Sir, the Indian National Congress or any other single political party in this country has not the least chance of securing a majority in the future Council of State as it is proposed to be constituted; and, if that is not so, and if special powers and reservations are provided for, they are provided for simply because the British people have no confi-

[Mr. N. M. Joshi.]

dence even in the Indian princes and even in the landed and commercial magnates of this country. Sir, I am prepared to admit that as between the Indians themselves, the Britishers have more confidence in the princes than in the people of British India. As between the people of British India itself, I am prepared to admit that the Joint Parliamentary Committee had more confidence in the landed and the commercial magnates than in the common people of this country. Sir, these different degrees of distrust among the different sections of the Indian population has been clearly indicated by the proposals which the Joint Parliamentary Committee has made for setting up the machinery for the Central Government.

The Joint Parliamentary Committee proposes that the machinery for the future Government will consist of a Federation with two Chambers, the Legislative Assembly and the Council of State. In the Federation, the princes are to have the weightage. May I ask why this weightage has been provided for for the princes? Moreover, the Joint Parliamentary Committee did not recognise the existence of the people of the Indian States. All the representation given not only in the Council of State, but even in the Lower Chamber, is the representation given to the Indian princes and not to the people of the States. If the weightage had been given to the people of the Indian States, I, for one, would not have objected to it at all. Mr. President, the legislative machinery of the Federation is to consist of two Chambers of Legislature, the Legislative Assembly and the Council of State. Both these Chambers are to be formed by the method of indirect election. May I ask whether there is any country in the world where the Lower Chamber is elected by indirect method of election? If that is not so, why should India be selected for that honour? Sir, this method of indirect election by the Legislatures was followed for some years in the United States of America, not for electing the Lower House, but for electing the Upper Chamber. The result was that corruption became rampant and the Upper Chamber of the United States became a millionaires' club. Sir, in India, the Legislative Assembly, which is to be elected on indirect method of election, will also become the millionaires' club, and our Council of State will become the multi-millionaires' club. I must admit that the Joint Parliamentary Committee has provided a special reserved representation for the Indian labour in the Legislative Assembly. They have provided ten seats for labour. But, Sir, the National Federation of Trade Unions in India had asked for ten per cent. of the seats. It was a very modest demand and the Joint Parliamentary Committee has given only three or four per cent. of the seats. Moreover, the Joint Parliamentary Committee, fearing that the labour members might combine with the members of the depressed classes, and may somehow persuade the Lower Chamber to pass some kind of labour legislation protecting the interests of the masses, have provided for a Council of State without any labour representation. I shall only mention one fact. The province of Bombay is going to send 16 Members to the future Council of State and the first election of 16 Members from Bombay to the Council of State is to be made by 80 Members which form the Council of State of Bombay. Sir, have you ever heard of men selecting 16 persons to be the members of the future Council of State? This is the kind of election that has been provided for the future Council of State. My feeling is that the Joint Parliamentary Commit-

tee has constituted these Legislatures on the lines proposed in their report in order that the will of the common people should always be frustrated. Sir, with a Legislature of this kind, is there the least chance, with even the provision of ten seats in the Legislative Assembly representing labour, of any labour legislation being passed?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time.

Mr. N. M. Joshi: I shall try my very best to finish soon.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time, and the Chair will give him only five minutes more.

Mr. N. M. Joshi: Sir, the Provincial Legislatures are to be elected by direct method of election. I admit that the scheme of the Joint Parliamentary Committee has extended the electorate from three per cent. to 14 per cent. But here, too, the Joint Parliamentary Committee was afraid that some kind of progressive legislation may pass through the Provincial Legislatures. Therefore, they have provided for a Second Chamber even in the provinces.

Sir, I shall say only a word about the future changes which could be made in our Constitution. The Joint Parliamentary Committee has provided that the Legislatures should pass Resolutions recommending the extension of the franchise, but is it natural to expect Legislatures, elected on restricted franchise, to pass Resolutions recommending the extension of franchise? The Joint Parliamentary Committee has also recommended that the future Federal Legislature, elected on indirect method, should pass Resolutions that the future method of election should be a direct method. Sir, is it also natural that a Legislature, elected on indirect method of election, can pass a Resolution that the direct method should be brought into force? One word more about the future Constitution, which will show clearly that there is absolutely no hope for the future under the new Constitution. The princes are to be admitted to the Federation by means of Treaties, and the Treaties will be based upon the Constitution which will be passed now. If the British Parliament decides to confer further rights of Self-Government upon India, the Treaties will have to be changed or the princes will have to leave the Federation. If the princes do not agree to the changes, which even the British Parliament may agree to make, the changes cannot be made. Under these circumstances, I ask Members of the Assembly to tell me whether there is the least prospect of further rights of Self-Government being conceded to India? And, if that is so, is it not clear that the scheme of Self-Government which the Joint Parliamentary Committee proposes for us is not only inadequate as a scheme for Self-Government, but it is undemocratic in its character and it offers no hope even for the future? It is on account of these considerations that men, who have been noted in this country for their sobriety and moderation and members of the Society to which I have the honour to belong, namely, the Servants of India Society, have passed resolutions preferring to remain under the present Constitution, unsatisfactory though it is, instead of agreeing to hopelessly mortgage their future.

Sir, I have done.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Mr. President, I realise that the subject is long, whereas my life is short, and, therefore, I propose to make the best use of my time in this valley of tears.

Sir, if I have understood the Leader of the House correctly, I take it that the essence of the scheme is that you cannot have provincial autonomy without responsibility at the Centre, and the quintessence of the scheme is that for this responsibility at the Centre the princes must join. If that is the essence of the scheme, myself having had always to deal with the prosaic side of life, I want to put before the House what is going to be the cost of the scheme. While going through the Joint Parliamentary Committee Report, somewhere I read that the cost of provincial autonomy will be something like $\frac{3}{4}$ crore, for putting up the Federation about $\frac{3}{4}$ crore, for trying to bring the princes into the scheme another crore, for the separation of Burma three crores, not to mention of the subventions and subsidies and grants which are to be given to Orissa, 30 lakhs, and Sind, at the lowest, about ten lakhs. Leaving aside the three crores of Burma, what does it come to? It means $\frac{3}{4}$ crore, plus $\frac{3}{4}$ crore, plus one crore and fifty lakhs, and this means we will be spending about three crores. If you capitalise this amount, at three per cent, it means that the country is saddled with a debt or with a liability of about 100 crores. As far as I know (Interruption)—I see my Honourable friend Colonel Gidney interrupting—as far as I know, all this money will have to be raised by taxation and there are no fields of either race or culture which taxation is going to respect, and, therefore, all of us will have to pay this taxation. I want to put it to my countrymen whether the scheme is worth it? Besides, who is going to pay these taxes, not the monied classes only, not the landed property owners only, not even the jewelled princes, but it will be paid by the sweat of the farmer in the field and by the clerk drawing a small salary of Rs. 85 and sitting at the desk, for at the present level of taxation he also comes in. Sir, this being so, is this scheme worth it? We have been given to understand the other day that at the present time—and I believe in it—all politics must be dominated by economics, and that politics is nothing else but economics. This is so far as expenses are concerned.

What is going to be your position? I do not want to go into all the details of this new Constitution comprising two Houses and with the anxiety for the princes to be coming in. I want to know why all this eagerness that the princes should join the Federation. In our eagerness that the princes should join, we are giving them a number of facilities that has never been heard of. We want to give them 20 years period, we want to give them all kinds of concessions. They may make up their minds; they may come in with the treaty of accession; they may reserve any subjects they like; we give them remittances, annuities, immunities and all kinds of things. So far as representation is concerned, in the Lower House there are going to be 125 and in the Upper House or the Council of State, 100. Out of the total number of 625 of both Houses, the princes are to be given a representation of 225. Is there any principle involved in this? For British India, comprising of 240 millions, we are giving 400 representatives in a combined House of 625 and for the Indian States 225 representatives. No one will tell me that the States are representing their people. It is only the 625 and odd Princes Houses which will be represented and for these 625 Princes Houses, you are willing to give 225 representatives. Is this representation or is this mockery of representation? How are the people of the States represented? I know that there

is a flavour of popular representation that has been tacked on to this. If more than half the people of the Indian States agree to this, then only this Federation will come. On the other hand, there are also some other insignificant features brought in to make a show that it is the people of the States who will be brought in. I say it is all false. It is a sort of camouflage. I say that we are not unwilling to have in our Houses of Representatives anybody, but it shall be on equal terms. We will not try to coax or cajole or bribe the princes to come into this Federation. We claim to be equals of a nation, the British nation that has created the largest Empire in the world and coloured half the map of the world with the colour of the blood; we, therefore, claim equality with the greatest nation on earth. That being so, we are not going to allow ourselves to be made the door mat for other people to come in, not even for our princes. We have every respect for the princes for their wealth, for their manners, for their courtliness, but our rights we will not submit to any. Myself and my colleagues in our Party have come here for fair play and justice and equality of rights for all, and, as I said, our rights are our rights and we stand not only for our rights, but the rights of all Indians, and we have pledged ourselves that we will fight to the last for our rights. This is not only in relation to the princes, but this is the same in relation to our minority communities or any other community in India. I say fair play and justice, by all means have it; not only that, we will stand up for it, but anything in the way of privileges or in the way of pampering we will not yield to, whether such a demand comes from the princes or from the majority community or from the minority communities in India. Wherever we find unfairness, injustice or special pampering, we will put down and we will resist it to the same extent as in the case of other parties. However, I will submit to this enormous price and to these enormous offerings to the princes, provided I have got something in return in the matter of principle.

So far as representation is concerned, what is it that we are given? From direct representation, we have come down to indirect representation. Here, Sir, I do not want to condemn something which has already been condemned. So far as I am aware, this system of indirect representation has been condemned even by the Government of India. It seems to me that those who have drafted the scheme have extended themselves, all out, and want to go the whole hogger even in the matter of representation, and so they have recommended indirect representation. Reading through the Report, I find that it is like the doom which is fixed up for India, but it does seem to me that, while talking of direct and indirect representation, they have laid down that it is provisional and if it cannot be found efficient in working, this will be changed. So there is a ray of hope for all of us, and it is this. If one clause could be changed, I say that if the entire nation could stand together as one man, the whole of the Report we ought to be able to change. Therefore, in the case of representation, it is this indirect representation which is against all principles of progress and of civilisation and of good Government and against everything that has been urged in the name of evolution, and, I submit, that in this Joint Parliamentary Committee Report all kinds of things are being saddled on us. If that is our position in regard to representation, how do we stand in relation to the principle of responsibility?

I have gone over the whole Report carefully, you may say even with a microscope, and all the responsibility that I could find in the Joint

[Dr. G. V. Deshmukh.]

Parliamentary Committee Report is the special responsibility of the Governor and the Governor General, and with its associates, the discretion of the Governor, and an even more ugly associate, I find in the Bill at the present time, is individual judgment. That is the responsibility from cover to cover. I do not find the slightest hint of responsibility in the whole Report. Now, in the name of evolution, all these things are being saddled on to us. If that is the price I had to pay and I did not gain any principle, at least I would like to know where I stand so far as the ideal is concerned. The ideal that has been put before us is the ideal of a Federation of India and a United India, an ideal over which we are supposed to enthuse over so that we may achieve a united India, the dream of the old Emperors and the dream of the present politicians. That is the ideal that is offered to us; and I want to bring to the notice of this House how, so far as the aim or the goal or the ideal of the Indian Government is concerned, it has been changing from time to time. Once upon a time we were considered equals. At one time we were promised Dominion Status, an equal position in the Commonwealth; and now the ideal that is being dangled before our eyes is a united India and a Federated India. Sir, this reminds me of the charge that Professor Laski brought against Britishers that in the middle of the game they always change the rules and foul the game. (Laughter.) You will find that in changing the ideal and putting this ideal before us in the name of evolution, the game has been fouled. These gentlemen, who drafted the scheme, were expected to see that we were on a better level of progress, of evolution. Sir, in the name of evolution what is being done is not evolution that we see. To use a scientific word, what these people are trying to do is atavism. It is going back. To speak in popular language, human beings, instead of producing human beings, are producing monkeys and apes. (Laughter.) This is what this evolution means.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Dr. G. V. Deshmukh: Could I rely on your protection of infant industries, Sir. (Laughter.) Well, Sir, I know that the voice of doom has resounded in this House and that I will have soon to depart. I would have very much liked to go on for a little time more, but if that is not to be, I will obey your order.

Sir, this Report, that has been put before us, is not only retrograde or reactionary, but, if you allow me a little time, I can tell you that this has not come before us inadvertently, that there is a scheming and planning behind it. Nothing in this world is done without a certain amount of scheming and planning, if not consciously, certainly unconsciously; and in this scheme I can see the mind that is working behind it. We saw how we were treated to a policy of the strong hand, and now we are going to be treated to a policy of the mean mind. We saw the Government Red of Claw and Tooth now. We are going to be treated to a policy of black mind and fingers. All this has been done, so that we Indians may not have anything to look for. The whole plan underlying this scheme is a spirit of rancour. It is reeking with the spirit of rancour. Do we want to be equals? Do we want to claim equal rights with the

others? No, that shall not be given to us. And the British Government cannot do it on its own, and, therefore, the princes, who are accustomed to be autocratic, must be brought in. And in this association of the princes I see nothing but a scheme of undiluted autocracy. If this scheme is to be brought in, the princes must be brought in also. The British themselves would not like to do many things. They usually try to keep themselves away from all dirty work. If a loan is to be raised, the Jews of the nation will do it; if battles are to be fought, it is the Irishmen who will do it; and if undiluted despotism is to be brought into this country, it shall be with the help of the princes. I think that is the underlying scheme behind all this, and I want to appeal to my countrymen to see the game that is being played. We should not be satisfied with a little thing here and a little thing there which is the politician's patchwork. But I want my countrymen to be statesmen and ensure the future of this country. I know, Sir, that in this country, there is a sort of opinion which says, what is the good of resisting when this is inevitable and you will have to swallow it? But so is death inevitable, but that does not mean that we should go and commit suicide, because it is inevitable. I would request my countrymen that if the thing is to be forced down our throats, let them do so, but let us not accept this of our own accord. This Constitutional Scheme, that is provided for us, means that we are given a house in which we have absolutely no authority on our servants. Even the very defence of the house is denied to us. We, who defended the Empire in the fields of Flanders and the battle of Ypres, are not supposed to be able to defend our own Empire. The position is that either we are cowards or we are brave people. If we are brave people, I do not see why we should be denied the defence of our own country; and, if we are cowards, I do not see why there should be these innumerable provisions in the Report about peace and tranquillity and special responsibility given to the Governor General and the Governors. I say, therefore, that whatever it may be, we have come here and we must stand up like men. If it is to be given to us and if they want to push it down our throats, at least let us not ourselves accept it. And one thing that I would request you is that we should not be charged by our countrymen at a future date, that while the country was being robbed and stripped and stabbed by these constitutional assassins, we kept quiet; and India should not say to us in future, "What, even you, my children!"

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): Sir, the amendment that I have moved seeks to define my attitude towards the constitutional issue and embodies the amendments which I regard as necessary for the smooth working of the Constitution. It also seeks to embody my objections to all those amendments which either directly or by implication reject or refuse to accept the constitutional advance that is being proffered.

Sir, I think it is perfectly true to say that I have met no one who is exactly in love with this Constitution. If some miracle were to happen tomorrow and my friends on the Treasury Benches could be induced to cross the floor and take their seats on this side of the House.

An Honourable Member: At least one man will vote for them.

Mr. H. P. Mody : I do not know who that one man will be. But I am sure that if that were to happen, they would be equally emphatic in their condemnation, though their condemnation would be in more decorous language.

Sir, in order to appraise the general feeling and to estimate the probable course of events, it is necessary to dip briefly into the history of the last few years. Soon after the inauguration of the Montagu-Chelmsford Reforms, it became apparent that if India was to be saved from political anarchy, some bold stroke of statesmanship was required, and, as early as 1924, this House passed a Resolution by an overwhelming majority asking for a Round Table Conference and the conferment of full responsible Government in India. British statesmen marked time, however, and a futile inquiry was set up with a view to determining what reforms could be effected within the frame work of the Constitution—the Muddiman Inquiry Committee of which my Leader was a member. The next few years were very unhappy years, and ultimately the Simon Commission was sent out, in the teeth of vehement opposition from every section of political opinion in this country. Then came in a movement fraught with a great deal of suffering to those who engaged themselves in it, and with disastrous consequences to the peace and prosperity of the land. It was in this atmosphere that the Round Table Conference idea was evolved. I have heard it said times without number that the men who went to the Round Table Conference represented nobody but themselves (*An Honourable Member*: "Quite True")—quite true perhaps from my friend's point of view, but certainly not from mine. (*Interruption.*) The gentleman who interrupted me seems to claim to be the caretaker of the country. It is perfectly possible to question the credentials of individual members of these Conferences, but I ask any one to tell me whether it is not an undisputed fact that some at any rate of those who went to these Conferences were men of whom any country might be proud (*An Honourable Member*: "Only one") and whose public services and intellectual attainments gave them an undeniable right to have a hand in the shaping of their country's destiny.

An Honourable Member: They were not our representatives anyhow.

Mr. H. P. Mody: The first Round Table Conference evolved a few fundamental principles of importance. There was a second and a third Round Table Conference, but, paradoxically enough, they only succeeded in weakening the structure which had been erected, and the outcome of these deliberations was the White Paper embodying the policy of His Majesty's Government. The last stage in this process of hammering out a Constitution by the method of general acceptance was the Joint Parliamentary Committee, which was assisted by some of the most important men who took part in the earlier Conferences leading up to the Bill which is now before Parliament. The essential features of that Bill are that, while it seeks to confer considerable powers to the representatives of the people, it hedges them round with provisions, many of which cannot be described as being "demonstrably in the interests of India". They seem to me to embody an expression of a policy characterised by timidity and by an uneasy feeling with regard to India's capacity to manage her own affairs. I do not question, as so many have done, the *bona fides* and the earnestness of purpose of many of the statesmen engaged in the task. It must be realised by us that on no single occasion in British history have so many eminent statesmen of all shades of opinion been engaged on the

solution of one single problem as on this occasion; and the scheme before us may be said to embody the collective political wisdom of the British race. But this collective political wisdom has not succeeded in bridging the wide gulf between the demands of the country and the traditional conservatism of British policy, and it has not also succeeded in satisfying even those on whom the Government have lent for support in all these unhappy years.

The question might naturally be asked, why then do I support the consideration of this Bill? First and foremost, because I feel that, even taking the very worst view of the case, it marks a considerable advance upon the present position. (*An Honourable Member*: "Question.") The Montagu-Chelmsford Reforms failed not only because of their inherent weaknesses, but also because the majority of politically-minded Indians refused to work them. The wheels of Government did not stop on that account: others took their places; but I feel certain that if the decision had been otherwise, if the attitude of my friends had been otherwise, either these reforms would have yielded much richer fruits, or they would have been condemned as unworkable at a much earlier stage than they were.

My next reason for supporting the consideration of this Bill is that constituted as I am, I cannot possibly subscribe to a negative attitude in the affairs of life; and if it were to happen that those who are opposing this scheme were to go out into the wilderness, or seizing the reins of power were to try and make government impossible, I see nothing before the country but repetition in an aggravated form of the disasters which overtook this country after the inauguration of the Montagu-Chelmsford Reforms.

That brings me to the point on which so much criticism has centred, namely, the safeguards. Some safeguards, I think, it is conceded by everybody, are necessary in the interests of good government and for the sake of harmony between the various communities and interests. But it must be recognised that the overloading of the Constitution with safeguards is calculated to defeat the very object in view, and to release precisely those forces of reaction and illwill which are such a danger to the Constitution. Sir, it is from this point of view that I deprecate all the elaborate commercial and other safeguards which have been devised. I am one of those incurable optimists who believe in mutual understandings and mutual accommodation, and I am one of those who believe in the trite but very true observation that safeguards can never take the place of goodwill and that no amount of safeguards can avail against the sullen resentment of a people. The other day, this House took a most unfortunate decision which has given rise to a great deal of misgiving. At the distance of five thousand miles, it is possible to magnify and exaggerate the implications of this decision. But I feel certain that many of my friends who opposed the conclusion of the Indo-British Treaty were actuated not by a spirit of hostility to British interests, but by an honest, though in my opinion mistaken, view of the advantages and disadvantages which the Treaty offered. From all these points of view, I would regard it as deplorable if the safeguards were to be thrust upon this country where goodwill alone can make the Constitution work.

Another matter which troubles all of us is the absence of any declaration in the Constitution that the goal of India's development is the attainment of Dominion Status. I refuse to accept all the excuses which have been trotted out in the last few weeks with regard to the absence of this

[Mr. H. P. Mody.]

declaration. If Dominion Status is not a constitutional or legal term, surely it is possible to say that India shall enjoy the same status as that which is enjoyed by the other dominions. Lord Irwin, on an historic occasion, gave a pledge that the natural issue of India's constitutional progress was the attainment of Dominion Status, and I cannot conceive of anything so unfortunate as the omission to define clearly and in emphatic terms that the Constitution that is going to come is merely a prelude to the enlargement of India's liberties to the extent of those enjoyed by the other dominions.

There is one other point, Sir, and that is, it seems very likely that the I.P.M. Bill is going to be passed into law substantially as it stands, in spite of all the reactions in this country. It is conceivable, that British statesmen will ask us to justify that experiment, and to show our fitness for a further advance, but let them remember that with all the goodwill on the part of those who will work this Constitution, their efforts are bound to be hampered, and their activities thwarted if the majority of politically-minded Indians refuse to have anything to do with the Constitution. If that were to happen, let British statesmen ask themselves,—to use the language of Mr. Baldwin,—“whether they had given India the right amount of liberty in the right way and at the right time”. (Cheers.)

Captain Sardar Sher Muhammad Khan (Nominated Non-Official): Sir, it is rather difficult for a soldier and a layman like me to take part in a debate of such vast constitutional importance. I have a further handicap in that I have not such a command of the English language as some of my Honourable friends opposite have, but I will try to make a few observations on this important constitutional issue which affects such a vast country as India.

Now, Sir, before I proceed further, with your permission, I should like to say a few words about the Nominated Members for the information of my friend, Dr. Khan Sahib. The Nominated Members represent some interests. There are certainly some interests which must be represented in this House, because it is rather difficult to give those interests a franchise. For instance, my friend, Mr. Joshi, represents here the interests of labour. Take the case of ex-soldiers, I am here representing the case for them. How can Government make the franchise sufficiently wide so as to bring in the interests of all these people, the labour, the army and a number of others, but those interests have to be represented here, it does not matter in what way. I, therefore, assure my friend, that we represent the interests of our people with honesty and sincerity as he represents the interests of his people. I am very sorry, Sir, that my friend, Dr. Khan Sahib, said that the North-West Frontier Province was not properly represented in this House before he was elected, but I may tell him that my Honourable friend, Sir Abdul Qaiyum,—I believe most Members know him,—represented the cause of the Frontier Province in this House very creditably. I had the privilege to work with him in the two Round Table Conferences, and I know very well that if he had not put forward the case of the North-West Frontier Province so ably and so vigorously, my friend would not have been able to sit in this House as an elected Member for at least another year more.

Some Honourable Members: Quite right, quite true.

Captain Sardar Sher Muhammad Khan: Now, Sir, at a time when excitement runs very high and passion is brought into play, one is likely to forget the real issue at stake and indulge in rhetorics as has been the case with my Honourable friends of the Opposition. In considering any problem, and particularly a constitutional problem, it is very essential that we should cast aside all prejudices in order to have a cooler appraisal of the document. The Joint Parliamentary Committee Scheme, unlike other schemes for parliamentary Government of the country, transfers powers, political and economic, to the vast electorate and gives us an All-India Federation, Provincial Autonomy and the transfer of law and order to the Ministers. I admit, Sir, that, on the whole, the proposals fall far short of our expectations. But who is to blame for this?

An Honourable Member (from the Independent Party): We.

Captain Sardar Sher Muhammad Khan: I venture to say without any mental reservation that the Congress is solely responsible for the black picture which has now been painted by its representatives. ("Hear, hear" from Congress Party Benches.) I shall illustrate my point. Had not the Congress left the path of constitutionalism, had they not embarked on the course of direct action and civil disobedience, thereby strengthening the hands of the die-hards in England, things would have been quite different. I say that it is my Congress friends who are responsible for the safeguards which have been incorporated into the Constitution. Now that wiser counsels have prevailed and the Congress has re-embraced the path of constitutionalism, may I hope, Sir, that there will be no repetition of the past mistakes? (*A Voice:* "Hoping against hope.") Recently, there has been a good deal of propaganda in the Congress Press about the convening of a Constituent Assembly to frame a Constitution for India. I am glad that the Congress accepts the basis of franchise as recommended in the Lothian Report and proposes to convene a Constituent Assembly on that basis. Will not such a move discredit those leaders of the country, including Mahatma Gandhi, who attended the Round Table Conference? Were they not the true representatives of India for all practical purposes? The second Round Table Conference, convened after the Gandhi-Irwin Pact, contained representatives of all shades of political opinion in the country. Was it not a Constituent Assembly. (*Some Honourable Members from Congress Party Benches:* "No, certainly not.") If you have no faith in your own leaders like Pandit Malaviya and Mahatma Gandhi, then I have nothing to say more. If such a gathering could not arrive at a decision in regard to the settlement of intricate constitutional problems concerning India, can it be hoped that any such attempt would succeed in the near future?

I shall not take much time of the House in discussing the issue, which is now practically dead, having utterly failed to arouse any interest in the minds of sober politicians.

Let me now come to the vexed question of communal representation, about which there has been a hue and cry during recent months and which has caused a drift even among the ranks of the Congress. My old friend, Bhai Parma Nand,—I don't see him here today in his seat—wanted to be done away with the Communal Award. (*A Voice:* "No, no.") My friend, Mr. Lalchand Navalrai, will probably accept the Constitution if we leave out the question of the separation of Sind.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Urban): Absolutely not.

An Honourable Member: Sardar Mangal Singh will accept it.

Captain Sardar Sher Muhammad Khan: With regard to my friend, Sardar Mangal Singh, I will just quote the words of the Sikh representative, Sardar Ujjal Singh, in the Round Table Conference.

Sardar Mangal Singh (East Punjab: Sikh): He was not our representative. He was a nominee of the Government.

Captain Sardar Sher Muhammad Khan: This is what Sardar Ujjal Singh said there:

"If we don't ultimately come to a final decision among ourselves, I do agree that there is no other course open to us except that we should leave it to the Government to decide. The Government had in the past decided for the communities, and in future it is certainly the responsibility of the Government to make a fair and just decision on these problems."

This is what the representative of the Sikh community said at the Round Table Conference in my presence, and after discussing the question, he handed over the whole matter to the Prime Minister, and now this decision has been given. Apparently it does not suit the wishes of my friends, and so they say that they want to do away with the Communal Award altogether.

There is another thing, Sir. I feel very sorry for my friend, Pandit Malaviya, for the inconsistency he has displayed as a practical politician. He played his old stunt and did not grasp the full facts of the situation. My friend, Pandit Malaviya.

Mr. Mohan Lal Saksena: On a point of order, Sir. Is the Honourable Member justified in referring to a gentleman who is not in this House?

Mr. President (The Honourable Sir Abdur Rahim): Pandit Malaviya was a member of the Round Table Conference, and he took part in it.

Captain Sardar Sher Muhammad Khan: I ask him, why does he forget? He was not only one of the signatories along with us, but the prime mover of the letter which was sent to the Prime Minister to decide the communal question. If the Pandit now knows that the Award is against him, there is no cause for grumbling. There is one alternative to end all this communal bickering, and, that is, we should sit together and settle among ourselves the communal question.

Mr. Lalchand Navalrai: Are you prepared for it?

Captain Sardar Sher Muhammad Khan: Yes, but one thing I have to request Pandit Malaviya, and that is, not to repudiate the settlement, as he usually does, after it has been reached.

Sardar Mangal Singh: May I know if any letter was signed by any of the Sikhs?

Captain Sardar Sher Muhammad Khan: I have read what Sardar Ujjal Singh said.

Sardar Mangal Singh: May I know whether that letter was signed by any of the two Sikhs?

Captain Sardar Sher Muhammad Khan: They were representing the Sikh community in the Conference.

Sardar Mangal Singh: I asked whether the letter was signed by them or not, and you have not replied to it. (Laughter.)

Captain Sardar Sher Muhammad Khan: As regards defence, I am rather surprised to see that not a single previous speaker has devoted any time to the defence of India which is a very important problem for India.

An Honourable Member: We leave it to you. (Laughter.)

Captain Sardar Sher Muhammad Khan: I must admit that the Joint Parliamentary Committee Report does not take us an inch further than the White Paper proposals. . . .

An Honourable Member: It takes you back.

Captain Sardar Sher Muhammad Khan: . . . or the Simon Commission Report. The problem of India is essentially a military one, because India is a land of many races. In Volume II of the Simon Commission Report, it is clearly stated that one condition of a self-governing India must be its ability to maintain, without aid of British troops, public peace and tranquillity. It is an astonishing fact that from time and again, Home Rule, Responsible Government and Dominion Status have been demanded, but it has persistently been overlooked that none of these political ends is possible until India possesses a strong and well disciplined Indian army, not only to maintain law and order within her own frontiers, but to hold back an invader until the rest of the British Empire can come to her support. The problem of raising a national army in India is not an easy one, for India possesses no common race, and I must confess, no common tradition. We are hopelessly divided into scores of communities and each community looks after its own interests. Out of 1,30,000 total strength of combatant ranks of the Indian army, more than 50 per cent are drawn from the Punjab. During the Great War, 50 per cent of the casualties were suffered by the Punjab alone. Thus, from a fighting point of view, it can truthfully be said that the Punjab province, including the North-West Frontier, is worth the rest of India put together. I agree to a certain extent with the Simon Commission Report that the formation of an Indian national army, drawn from India as a whole, in which every member recognises the rest as his comrades and in which Indian officers will lead men who belong to different races and in which public opinion will have general confidence is a task of the greatest difficulty.

Mr. B. Das (Orissa Division: Non-Muhammadan): Don't you want to lead European soldiers?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only two minutes more.

Captain Sardar Sher Muhammad Khan: Complete Self-Government without an effective Indian army is an impossibility. What shall we do to remove this difficulty? To remove this difficulty, I am of opinion that we should press upon the British Government to speed up the Indianisation of all the branches of the Indian army and to encourage, organise, train and equip military and naval forces of our own.

An Honourable Member: How do you do that?

Captain Sardar Sher Muhammad Khan: Before I conclude, I wish to say a few words to my Honourable friend whose name I forget, who said the day before yesterday, let the British leave India and we will settle it among ourselves.

An Honourable Member: Mr. Gadgil.

Captain Sardar Sher Muhammad Khan: Yes, Mr. Gadgil. I strongly support him, and I ask the British Government to stop functioning for a week, but not before the 1st April, because my Honourable friend, Sir James Grigg, has to present his Budget. Let the British Government stop functioning from the 1st April and let the British troops be confined in their own barracks, and let us fight and settle among ourselves.

A Few Honourable Members: Why should we fight?

Captain Sardar Sher Muhammad Khan: To fight and make our own Constitution. What will be the result? The result will be, there will be two special trains full of troops with governors-designate to each province and Nawab Muzaffar Khan, Captain Chaudhri Lal Chand and Sardar Mangal Singh making the Central Cabinet, and, of course, along with me as the Commander-in-Chief. (Laughter.) So long as we depend upon the British navy and army, I feel that it will not be wise for us to summarily reject the Joint Parliamentary Committee Report and give another chance to the die-hards who are anxious that we should be put to a further obstacle in the way of making the Constitution. I agree that the Report does not satisfy the aspirations of India, but, under the circumstances, at present, there is no other alternative for us save to work the new Constitution and demand for more. If the Congress Party will persist in its negative attitude, I can only say that it is not constitutionalism but constitutionalism with a vengeance.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Sir Abdur Rahim) in the Chair.

Mr. M. Asaf Ali (Delhi: General): Mr. President, after having listened to the somewhat mild sword rattle of the gallant and Honourable Member, who appointed himself the Commander-in-Chief of India but who unfortunately was still-born.

An Honourable Member: Who is he?

Mr. M. Asaf Ali: He is Captain Sher Muhammad Khan, the self-appointed Commander-in-Chief of India! I feel that the atmosphere of unreality and futility which was proving far too depressing, far too unfortunate in this House, has really become worse than ever. My first question is addressed to the Government of the day, to the Government of the Governor General, which is irresponsible, unresponsive and irremovable. With what object have you placed this motion before us? Is it with a view to eliciting our opinion? Is it with a view to asking us to express our opinion on something which His Majesty's Government wanted to take into consideration? If that is so, you ought to have placed this matter before us at a time when it was possible for us to effect any changes in the plan which the Joint Parliamentary Committee's Report contains and on the basis of which constitutional edifice is actually in progress now on the banks of the Thames. You are asking us to take this plan into consideration.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should address the Chair.

Mr. M. Asaf Ali: I am addressing His Excellency the Governor General's Government through you. Well, you have placed before us this plan.

Mr. President (The Honourable Sir Abdur Rahim): That is not the proper form.

Mr. M. Asaf Ali: Well, the Government have placed before us this motion with a view to examining, with a view to analysing and with a view to finally passing our opinion on a plan on which the Government of India Bill is based. The Government of India Bill is being rushed through the Houses of Parliament. It is almost placed before us in the form of a *fait accompli*—something already accomplished, down to the 451st section of it. Is there any hope, I ask, of our effecting any change in it, either in the principles or in the details of it? If so, let us know of it now, so that we may speak with a sense of responsibility which is worthy of the object. I ask—is there any sense of responsibility being shown by anybody—except only to the extent to which we have listened in the speech of the Honourable Captain Sher Muhammad Khan? That is the only extent of the responsibility! I am perfectly certain that he is honest and he is earnest, in so far as his constituents are concerned, and I am equally certain that, if he were an elected Member, he would be equally honest and earnest to his constituents today. The fact remains that, while we are addressing ourselves to the details of a plan which is finished, which has no reality so far as we are concerned—and a very grave reality as far as His Majesty's Government is concerned—this is a wholly futile and wholly irresponsible debate. It is like the debate in a college or a school, which has no purpose, which has no consequence. My second quarrel with His Majesty's Government is this. If they intended that the elected representatives of the people should express their opinion on this report, with a view to their taking it into consideration in framing the Bill, they ought to have stayed their hand. On the contrary,

[Mr. M. Asaf Ali.]

they have shown a supreme contempt for the representatives of the people. They are now getting on with the Bill and there is no chance, no hope, that the Bill is going to be changed, in any way, according to the views of the representatives of the people. Perhaps it may be said by the Honourable the Leader of the House that the Bill is in its embryonic stage. True. But we know its heredity. We know its lineage. We know what parents it possesses, namely, the Statutory Commission which was universally repudiated and the White Paper which was rejected by this very House last year. If that is the heredity of the Bill, is there any chance of the hideous features of this embryo being changed, because we are going to express a different opinion here? Even those who assisted at its birth are not today prepared to take it unto their bosom. Those who attended the Round Table Conference have, one and all rejected it as a monstrosity, a constitutional monstrosity, which no one on earth would be prepared to nurse. Then, in so far as the question of the opinion in the country is concerned, was there any doubt in the minds of any one, including His Majesty's Government, that the whole of this country had condemned it right and left, from the moment the proposal emerged in any form whatsoever? The Joint Parliamentary Committee's Report is the latest production, but there was an earlier production, namely, the White Paper, and both these documents, immediately after their emergence, lay under a Himalayan heap of condemnation, from one end of India to the other. Was there any doubt on the part of this Government or His Majesty's Government about this condemnation? Why did they proceed with this Bill? Why have they placed it before the Houses of Parliament? Why are they now rushing this Bill through? Even, in so far as the representatives of this Assembly are concerned, I find that there is not one, including Mr. Mody and the Honourable and gallant Captain Sher Muhammad Khan, who has a good word to say about it.

In one form or another, they all reject it, although they use the word "unacceptable".....

Mr. H. P. Mody: I did not use the word "unacceptable".

Mr. M. Asaf Ali: Then you accepted it *in toto*? I am glad to know Mr. Mody is the solitary exception to the rule.

Mr. H. P. Mody: I am afraid there are others.

Mr. M. Asaf Ali: There are some unfortunates of their kind and I am very glad there are some, because they are the dearest, I think, from the point of view of those to whom reference was made by Captain Sher Muhammad. Well, Sir, I was just saying that the sum total of all the amendments that have been tabled is "unacceptable". This is the pithiest expression which I can use—"unacceptable". Whether in one form or another, they have all called the proposals "unacceptable". That is only a negative form of the word "rejection". Now, why not straight away say that you reject it?

Mr. A. H. Ghuznavi (Dacca *cum* Mymensingh: Muhammadan Rural): There is not a single word "unacceptable" in my amendment.

Mr. M. Asaf Ali: The Honourable Mr. Ghuznavi wishes to join the band to which I have already referred, Sir. Let him have the happiness of that. He will only make it two, he will not make it two hundred. All the amendments have the word "unacceptable".

Mr. A. H. Ghuznavi: My amendment has not that word "unacceptable".

Mr. M. Asaf Ali: Sir, turning to the Report itself, I should like to draw the attention, not only of this House, but of the entire world—speaking from the place from which I do—to a particular expression, a phrase or rather an opinion which has been expressed by the Draftsman of the Joint Parliamentary Committee in their Report. They say:

"There are moments in the history of nations when a way seems to be opened for the establishment between people and people of new relations more in harmony with the circumstances of the time, but when that way is beset by all the dangers inherent in any transfer of political power"—*this is a little interpolation, but they might have left that sentence out*—"such moments are a sharp test of political sagacity, of the statesman's instinct for the time and manner of the change. If that instinct fails, either from rashness or from over-caution, there is small chance of recovery."

Sir, with all the sense of responsibility which I possess, I am prepared to say that that moment did arise, but unfortunately His Majesty's Government were found wanting. They have produced something, they have offered something to India—this Report, these proposals—which will go down in history as the epitaph of the political sagacity of the British nation which may mark the grave of the British Empire. They may be proud to offer this scheme of a Constitution to us, but we assure them that we are thoroughly ashamed of this offer; and, perhaps, if they also felt as we do, they would have felt equally ashamed of this offer.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has only one minute more to conclude his speech.

Mr. M. Asaf Ali: Sir, within the brief compass of fifteen minutes, it is difficult to summarise the work of one hundred and fifty years. It is difficult to sum up even one's opinion about these bulky documents, but there is only one word more, and I have done. I would ask His Majesty's Government one simple question. Were we not invited to sign the Peace Treaty at Versailles? Were we not made the original members of the League of Nations? And, is it not true, Sir, that under the convention of the League of Nations, no one could ever become an original member of it, or simply a member of it, unless that country was fully self-governing? If, Sir, according to this convention, we were then a fully self-governing nation at a time when you had just emerged from the war, at a time when the whole world was full of sentiment, then you perpetrated a fraud upon the entire world. (Hear, hear.) Today you are telling the world that we are not a fully self-governing nation, and that, therefore, you are legislating for us. Would you dare to do that for any other country which is even within the British Empire,—any self-governing dominion? Would you dare to lay down a Constitution for any other dominion under these circumstances? They were equally members of the League of Nations, they were equally self-governing dominions and we were a self-governing country. I know this Report says that to some the majestic

[Mr. M. Asaf Ali.]

spectacle of an Empire makes a tremendous appeal, a great appeal. True, perfectly true, but please remember that there are others who are your rivals, who are your enemies in the world who are watching you. Build up your majestic empire without exciting envy throughout the world! You never know which way the wind may blow some day! People are there watching you with green eyes of envy and jealousy. The last word, Sir, I shall address to my own countrymen who represent their constituencies here, and that is this. At a time when this Assembly did not have the advantage of the wisdom and experience of men like Mr. Jinnah, of the wisdom and experience of many other Members who are now present in this Assembly, it rejected, Sir, under your leadership, the proposals contained in the White Paper. Are we going to do something else today? Are we going to present the world any other spectacle today, when all the wise and experienced heads are here? Are we not going to tell the world—"we reject the offer of the British Government with thanks"? (Loud Applause.)

Dr. F. X. DeSouza (Nominated Non-Official): Mr. President, as the representative of the Indian Christian community, I rise to support the motion moved by the Honourable the Leader of the House. At the outset, I should like to make clear the attitude of the community towards the impending constitutional changes. It cannot be better expressed than in the words of the Archbishop of Canterbury in the recent debate in the House of Lords. The Primate stated that the Indian Christian community, numbering 6½ millions, was the third largest community in India. He had been in constant communication with the Metropolitan and other leaders and found no corroboration for the statement that Indian Christians were apprehensive. The great mass of the younger Indian Christians were eager for further Self-Government. Many declared that they would prefer no separate electorates and no guaranteed places in the Legislature, but would like to take their chance with fellow-Indians in the general constituencies. (Hear, hear.)

This, Sir, is the correct statement of the position. But doubts have been cast upon our attitude, for their own purposes, by diehards in England of the school of Sir Henry Page-Croft and Lord Lloyd on the one hand and by extreme nationalist politicians in India on the other. I shall not attempt to clear these doubts today. All that is necessary for me to say is that the last Assembly, by a unanimous gesture, accepted my contention, that though professing a faith different from the vast majority of our countrymen, we have, by our numbers, by our education, by our past services, earned a right to full citizenship in a self-governing India—a gesture which I have no doubt this Honourable House will fully endorse.

If the proposed Constitution was a genuine democracy, in which merit alone is the passport to opportunities for public service, we Indian Christians would ask for no special protection. But the Constitution has grouped the nation into isolated groups, who will live in a state of armed neutrality with each other, marshalled, so to speak, for an ignoble strife for jobs and patronage. In this state of things when more militant minorities are gradually elbowing us out of our rightful places in the Legislatures and public services, it is only right that we too should have our legitimate place in the sun defined before India becomes self-governing.

Unfortunately we had no opportunity to state our case either before the Third Round Table Conference or the Joint Parliamentary Committee. Thanks no doubt to our unshaken loyalty during the troublous times through which we have been passing, the Government of India thought they could conveniently ignore us. Prominent members of the Joint Parliamentary Committee to whom I forwarded the Assembly speeches on my Resolution have written to say that they greatly regretted that these speeches did not reach them before the evidence stage was concluded. It is for this reason, Sir, that I ask for the indulgence of the Chair to be allowed to state our case in somewhat greater detail than would otherwise have been necessary, as that is the only way I have of reaching the ears of Parliament.

One excellent result of the Joint Parliamentary Committee's proposals has been that their unfairness to our community has at last stirred us out of our lethargy and is gradually bringing together the two great sections—the Catholics and the Protestants—for joint political action. The United South Indian Christian Conference just held at Madras has passed the following resolution which I earnestly commend to the consideration of Parliament:

“This Conference regrets to note that notwithstanding the Resolution passed without a division by the Madras Legislative Council in April, 1933, the Indian Christian Community, has been unfairly treated with regard to its representation in the various legislatures and demands that the community be treated as regards weightage on the same principle as the other minority communities, particularly by virtue of its high literacy and its substantial contribution to the cultural and humanitarian service of the country.

(1) That in the First Schedule to the Government of India Bill the following alteration be made in the column Indian Christians :

Madras	—	an additional 2
Bombay	—	an additional 1
C. P.	—	an additional 1
Sind	—	an additional 1

the increase of five seats being added to the total of 250 for the Federal Assembly.

(2) That in the Fifth Schedule to the Government of India Bill the following alterations be made in the column Indian Christians :

Madras	from 9 to 15
C. P.	1
Sind	1.”

My Honourable friend, Sardar Mangal Singh, complained the other day that the Sikhs in the Punjab were not given sufficient weightage, because, while forming 13 per cent of the population, they were given only 19 per cent of the seats in the Provincial Legislature, while Muslims, in the United Provinces numbering 14 per cent of the population, were given 30 per cent of the seats. What would he say to the Christian community in Madras numbering five per cent of the population being given only four per cent of the seats while the Muslims, numbering ten per cent of the population, have been given 14 per cent of the seats? Ours is the only minority community in India, which, instead of being given weightage, stands badly in need of additional leverage.

[Dr. F. X. DeSouza.]

The Indian Christian community is also greatly perturbed by their demand for incorporation of fundamental rights in the Constitution Act being turned down by the Parliamentary Committee. From bitter experience, we feel that it will not give us adequate protection if we have merely to rely on our legitimate interests being declared one of the special responsibilities of the Governor. Our interests have always been a special responsibility of the Governor since the memorable proclamation of Her late Majesty Queen Victoria. And yet, speaking in the House of Commons in 1884, Lord Macaulay could say:

"Englishmen who have held high office in India seem to have thought that the only religion which was not entitled to toleration and respect was Christianity."

Writing exactly a century later, Mr. Arthur Mayhew could say that under the East India Company Christianity was a disqualification for public office and that the transfer of sovereignty to the Crown had made little or no difference in our status. Speaking on my Resolution in July last, I said—and this Honourable House agreed with me—that the Government of India Order of 4th July, 1934, had sounded the death-knell of our hopes in the public services of the future and that the Government have been consistently treating us, to this very day, as if we were untouchables in the public life of the country.

Nothing has yet been done by the Government to implement the unanimous Resolution of this Honourable House regarding our claims. If this is the way Governors, vested with absolute power, have been carrying out their special responsibility imposed by Her Majesty's Proclamation, is it likely that we shall fare any better when the Governor can merely use his powers of persuasion with an autonomous Ministry? It has been our painful experience in the past that under political pressure and with a view to secure the good-will of the major communities, the Governor and the high officials of the Government find it more convenient to overlook the claims of small minorities like ourselves. The protection we seek is thus not so much against discrimination by the Ministry in power as against the *fainçance* of the Governor.

The All-India Christian Conference, assembled at Allahabad, repeated its demand that the fundamental rights of the minorities should be incorporated in the Constitution Act. Failing incorporation of our fundamental rights in the Constitution Act, I would respectfully draw attention to the following resolution of the All-India Christian Conference as embodying our minimum demand:

"That in the Instrument of Instructions to the Governor General and Provincial Governors and the Instrument of Accession of Federating States, reference should be made to Indian Christians as specially deserving of the protection of the Governor General, Governors and Federating Princes in the exercise of their religious, civil and political rights including adequate representation in public services, and especially the unrestricted exercise of their religion, including the right of conversion, the erection of churches and religious houses as well as the maintenance of educational, religious and charitable institutions."

Like all progressive communities we feel that the Bill is informed throughout with a sense of deep distrust of the capacity of the Indian people for Self-Government. Perhaps the realities of the Indian situation demand that in the interests of good government it would not be safe to grant full self-government. In the end we may have neither good government nor self-government. For want of time I do not propose to make

any reference to the omission of Dominion Status as our goal in the preamble to the Bill or to the proposed method of indirect election to the Federal Assembly on which our community feels very strongly. All that I need say is that the method of indirect election will send representatives to the Federal Assembly who will no more represent the electorates in the country than the three tailors of Tooley Street represented the people of England.

But, Sir, as one who has held judicial office for a long period, I should like to lay stress on the plea urged by Sir Leslie Hudson for maintaining intact the independence of the High Courts. For this purpose the administrative control of all High Courts should be vested in the Federal Government and not in the Provincial Governments as proposed in the Bill. The power to legislate on matters relating to the jurisdiction, power and authority of the High Court should not be transferred to the Provincial Legislatures. The powers of superintendence over subordinate courts should continue as now under section 107 of the Government of India so as to include judicial superintendence and should not be restricted to administrative control only as is done by clause 214 of the Bill. The appointment, posting and promotion of District Judges should be in the hands of the Ministry acting in consultation with the High Court and not with the Governor in the exercise of his individual judgment. And last, but not least, popular sentiment should be respected by refusing to throw open the office of Chief Justice to members of the Indian Civil Service. It is felt that the High Court, which is the one safeguard left for the vindication of popular liberties, will be weakened by this Bill while the safeguards for strengthening the executive are multiplied. Instead of being an independent branch of the Government, the High Court and subordinate judiciary, will tend to become a department virtually controlled by the Governor in the exercise of his individual judgment. But when

3 P. M. all is said and done there is no doubt that the Bill lays the foundation of a truly responsible government in the provinces.

It is, to that extent, an advance on the present Constitution and a sign of goodwill on the part of His Majesty's Government. True, complete responsibility is hedged round by multifarious safeguards. But the working of the Irish constitution has shown how inefficient are paper safeguards against strong public opinion. No Governor,—and here I answer the question put by my Honourable friend, Mr. Joshi, as to what safeguards there are against an unreasonable Governor,—No Governor would care to exercise his veto in the teeth of united public opinion. If he does, the Ministry would resign and would almost invariably be returned to power. What then? There is the statutory power of the Governors to administer the province without Ministers. Does anybody suppose that the power will be exercised? How can the taxes be collected and who knows to what heights agitation will go? With modern facilities of communication, agitation will spread from province to province. Of course Government could be carried on by force but for how long? Behind the Ministry and the Legislature there will be the sanction of popular will, but the Governor will have no such sanction. These safeguards, which seem as strong as iron ropes, will snap as readily as silken cords under the pressure of strong, united and sustained public opinion.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Dr. F. X. DeSouza: I will finish in two minutes more, Sir.

The framers of the Bill were quite alive to this possibility. In a thoughtful article to the current number of the *Contemporary Review*, the Right Honourable Lord Meston observes :

"If then it is a fact that safeguards, even if placed on the statute book, can be made largely illusory, where does safety lie? As always in goodwill and goodwill alone."

But there should be goodwill on both sides. If Indian leaders are admonished to use their new powers with moderation, British administrators should show their goodwill by tacitly allowing the safeguards and reserve powers to fall into desuetude. If men of extreme views on either side hold power and ride for a fall, the Constitution will fall with them.

There are, Sir, at the present juncture grave problems affecting the masses calling for immediate solution. They are problems relating to rural reconstruction, village industries, unemployment, rural indebtedness. Competent observers are of opinion that if they are not solved soon, in a constitutional manner, the masses will take the solution in their own hands and inaugurate a Sovietised India. The old class of opportunist politicians working on the old bureaucratic methods will not be able to touch the fringe of these problems. An appeal is necessary to the emotions of the masses by politicians possessing dynamic force to rouse them from their helplessness and economic bondage to a consciousness of free citizenship. There is but one Party in the State, if recent elections are any guide, that can achieve this result by constitutional methods and that Party is the Party led by my Honourable friend, the Leader of the Opposition. I trust that he will not think me impertinent if I ask him, for the sake of the country we all love, not to reject the Constitution because of its many defects, but to accept it and work it for all it is worth. By so doing he will find that the Constitution will be elastic enough to bend without breaking under the pressure of the country's will. And, despite safeguards, special responsibilities and reserve powers, there will emerge, in course of time, by process of evolution, the status of a dominion Government which is our final goal.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, the ostensible object of the reform scheme, under discussion, is the establishment in India of a substantial measure of responsible government. I shall examine, during the few minutes at my disposal, what sort of responsible Government this country is going to get under the recommendations of the Joint Parliamentary Committee. Sir, in each of the eleven Governors' Provinces the Governor will be invested with very heavy responsibilities,—responsibilities, ordinary and special, and those to be discharged at discretion. And, co-extensive with these responsibilities, the Governors will enjoy large powers,—executive, legislative and financial. The Governors will have the right not only to pass temporary Ordinances, but also to enact permanent Acts on their own authority. They will have power also to restore grants refused or reduced by the Legislature. The Governors will be assisted by Ministers who will be chosen by him, not on considerations of capacity and character, but on considerations of race and religion. These Ministers will hold office during the Governor's pleasure and will be powerless for doing any good to their province; but their potency for mischief will be very great. In order to be able to keep themselves in office, the Ministers will be obliged to cringe before the Governor and the Members of the Services and they

will have to resort to an unfair distribution of the patronage at their disposal. Thus the whole public life of the province will be demoralised. The Legislature will consist of two Houses in the case of the larger provinces, and their Members will be returned by separate electorates. Now, it is well-known that separate electorates can never form the basis of responsible Government in this or any other country. Further, the proposed unfair distribution of seats in the Legislature for the different communities is sure to give rise to strife and illwill. The powers of the Legislature will be circumscribed in various ways, and in several directions the Legislature will be subject to the control of the executive. In order to emphasise the independence of the executive, an important dictum has been laid down by the authors of the Report. They say:

"That function of the executive is to govern and to administer, that of the legislature is to vote supply, to criticise, to educate public opinion and to legislate."

Not a word is said about responsibility of the executive to the Legislature. Now, this system has been described as "autonomy in leading strings" by a well-known newspaper in England, but a more appropriate description of it will be "executive irresponsibility".

Coming to the Centre, Sir, what do we find? We find that the position is even worse. The Governor General's responsibilities will be greater than those entrusted to the Governors and the powers with which the Governor General will be invested will be immensely larger. The burden of these responsibilities will be so heavy as to break the back of a superman; but as supermen are very rare in this world, the Governor General will have to rely, almost completely, on his Counsellors and the Members of the Services who will thus become the real masters of the situation. The Legislature at the Centre will consist of two Chambers, and in both the Chambers the elected Members from British India will sit side by side with the non-elected Members of the Indian States—a very curious arrangement. I do not know whether the two categories will fraternise with one another, but work is sure to be hindered. The executive at the Centre has been made, to a very large extent, independent of the Legislature. The Legislature will have very little control over the different departments of administration. Further, as the administration cannot be divided into water-tight compartments, the Governor General will be able to control the whole field of executive Government. The Ministers will become mere puppets, and their power for doing any good to the country will be extremely limited.

I come now to the financial arrangements. The proposals contained in the White Paper were perhaps a shade better than the recommendations of the Joint Parliamentary Committee. It is well known that the Second Round Table Conference decided that the bulk of the proceeds of income-tax should go to the provinces, and the Committees, which were subsequently appointed, made the same recommendation. But the Joint Parliamentary Committee observe that "for some time to come it will not be possible to do much more than to find funds for the deficit provinces", and they do not hold out any hope of a substantial portion of the proceeds of the income-tax being made over to the provinces. The result will be that, while large sums of money will be spent on the Army and the protected Services, the nation-building departments like Education, Sanitation, Agriculture and Industry will continue to languish for want of funds.

[Dr. P. N. Banarjee.]

The Secretary of State will continue to possess powers similar to those which are possessed by him now. There will be in reality no diminution in his powers, because the Governor General and the Governors will have to exercise their various powers in responsibility to him. Thus, the Great Moghul will continue to rule from Whitehall the destinies of 850 millions of the people of India. The Council of India, which has long been considered to be an anachronism, will be abolished, but in its place will be instituted an Advisory Body, one-half of which will consist of retired members of the Services who will always do their best to thwart the aspirations of the people of India.

These are only a few of the innumerable evil features of the new Constitution, and the impending reforms do not constitute any real transfer of power from the bureaucracy to the people of India. In some respects, these recommendations are retrograde *even* as compared with the present state of things. Indirect elections, second Chambers and the extension of the communal principle are instances in point.

I come now to the cost of this scheme. This scheme will involve something like 6½ crores. And where is this large sum to come from? No indication has been given in the Report as to the sources. If additional taxation is to be levied, I am afraid, that will only help to break the back of the poor people of the country.

Now, the question may be asked, who wants this costly sham? The Congress, whose goal is *Purna Swaraj* or complete independence, has rejected it. The Liberals also have rejected the scheme, and their great Leader, the Right Honourable Srinivasa Sastri, said, that it would be "impossible for them to give an atom of co-operation". Sir Samuel Hoare and the British Government know all this, and the Joint Parliamentary Committee also are not unaware of it. But the Joint Parliamentary Committee say that a body of central opinion has of late emerged in both countries which is in support of the scheme. As regards Central opinion in England, perhaps the Committee refer to the opinion which stands midway between the opinion of the conservative die-hards, on the one side, and that of the Labour Party on the other. But, I know of no Central opinion which exists in India at the present moment in favour of the scheme unless this opinion be the opinion of toadies and place-hunters who thrive on official patronage and who are ever ready to sell their country for small personal gains.

Sir, this House exists for reflecting the opinion of the people, and at this juncture it is incumbent on the House to make it clear to the Government of India and the British Government that the country does not want this scheme, and that if this Scheme, in spite of the protests of the people, is thrust upon them, it will, instead of bringing goodwill and harmony to the land, foster discord and bitterness.

Sir Otwasji Jehangir (Bombay City: Non-Muhammadian Urban): Mr. President, we are discussing this question today in an atmosphere of complete unreality dominated by pessimism. It is unreal, because we fully realise that anything that we say or do is not going to affect the Bill in the slightest degree. We fully realise—at least I do—that the Bill will

not be improved as we desire it. It may even be amended so as to affect us adversely. Therefore, Mr. President, I take part in this debate most reluctantly. We have been told by some of our critics that even at this stage we should put forward concrete suggestions or amendments. I am afraid those critics have not followed the discussions in this country and in England during the last four years: if they had, they would certainly not ask us to put forward concrete suggestions just now. Have not we had enough of concrete suggestions? There have been Committees appointed which have reported with English statesmen as members. There have been discussions in those Committees, and not one of the suggestions put forward by ourselves, and accepted by a majority of those on those Committees, has been accepted by the Select Committee, nor were they embodied in the White Paper. Therefore, to tell us that we ought not to condemn this measure but put forward concrete suggestions, at this stage, is really ridiculous. I was just looking through the debate that took place in this House in 1933 when we discussed the White Paper; and I find that I addressed this House—it must have been for more than fifteen minutes, for the speech is reported in eleven pages; and, after that, if we are asked to make concrete suggestions at this stage, it is just as well that we neglect the advice. I am one of those who believed, prayed and hoped, that if some of the suggestions made during the last three years and crystallised in that memorandum which you, Mr. President, had the honour to sign, would have been accepted, and, I think, I said even before this House—I certainly said it from public platforms—that if those suggestions had been embodied in the Bill, I felt certain that 80 per cent. of thinking men and women would have come forward to work the future Constitution, including my Honourable friends who sit along with us here. But, alas, instead of having even the whole lot of amendments we suggested being embodied, not a single one has been embodied in the Bill, and, I am sure, that neither my Honourable friends who sit on the Benches opposite, nor our friends in England are surprised that in India the Bill has met with very serious adverse criticism. It has been most unfortunate for this country that India has come within the sphere of party politics in England, and that has been one of our greatest misfortunes; for, I am confident, that if India had been kept out of party politics, the Bill would not have been so retrograde as it is. But while we have been out of the picture for the last many months, perhaps for over a year, statesmen in England have been squabbling over this Bill, leaving us expectant but disappointed spectators of their struggles and their party politics. It may be that we unconsciously have given certain of those statesmen, whom we now call die-hards, some arguments, but, I feel sure that many of those who have been strong opponents of His Majesty's Government in the House of Commons are not fighting this Bill entirely in the interests of India. Many of them are suspected to have their own axe to grind, and, therefore, let our friends in England not blame any of us—whether we wear no caps at all or whether we wear white caps—for the arguments that they have taken hold of from speeches made by some of us. If these safeguards are intended to safeguard this country against the so-called want of unity, may I ask whether it would be possible in a continent with a population of 380 millions to get absolute unanimity on a question so vital to its interests and to the interests of its many communities as the future Constitution? Unanimity is impossible. I realise sometimes to our shame that we do not have unanimity when it is possible; but to ask for unanimity in a country like India is an impossibility

An Honourable Member: It is an impossibility in any country.

Sir Cowasji Jehangir: and then to put in safeguards due to this want of unanimity is not playing the game. I am not going to criticise these safeguards in detail here. We had done so *ad nauseam*.—What we desire to point out is, that we feel, honestly feel, that while some of those safeguards may have been suggested by ourselves due to the exceptional conditions in this country, the other safeguards are bound to lead to deadlocks, that these safeguards bring into this Constitution the human element to an extent which makes success impossible; and to add to our troubles we find a new phrase coined in the Bill which is “individual judgment”. We are going to be subjected to the individual judgment of all the Governors in this country and of the Viceroy, and that means that each Governor of each province will govern India according to his own individual whim, that in one province the Governor may use his safeguards and in another he may not, and in each case it will be his own individual judgment. If that is going to be our fate, let us clearly, unequivocally and in the most respectful language inform our friends who are framing this constitution that they do it on their own responsibility, that we shall take none, that if it fails it will be their fault, if it succeeds nobody will be more pleased than ourselves and we shall give them full credit; but let them not come forward in the future and blame any school of thought for having encouraged them to frame a Constitution of this sort. We want to be exonerated from all responsibility and from all blame. We have made our suggestions: we have done our best to help them; our suggestions have been framed by men who are moderates: they have been all rejected. The responsibility is His Majesty’s Government’s and Parliament’s: we take no responsibility of any sort whatsoever. But while saying this, Mr. President, I do not agree with some of my friends who have come to conclusion that the future Constitution, as visualised in the Bill, is absolutely no advance on our present condition. It is an advance, and that is my personal conviction,—it is an advance,—but as I have already explained, it is an advance that by no means meets with our approval. It would be foolish to reject any advance that is given. It is through the failure of such a Constitution that Government will be forced into a constitution which will be a workable constitution, one which will be acceptable to the whole country, but this negative policy of saying: “We shall do nothing at all, leave us as we are”, is not one to which I could give a willing assent. I do believe, that this Constitution will fail due to many of its bad features, but every one of those failures will be a stepping-stone to a further advance in the Constitution of this country. Every one of those failures can be taken advantage of by us if we will only take things more seriously than we have been doing. We want men of experience, and we shall get those men of experience; but if we neglect the opportunities that come to our hands, however small they may be, however insignificant they may be, we shall fail to advance the interests of our country. If we reject the Constitution, and suppose Parliament acts on our wishes, I am one of those who believe that we shall struggle on for another few years and get offered to us something very much like what we are offered today, but,—let them pass this Constitution against our wishes, against our warnings, let them pass the Bill, and we will show them that we were true prophets when we suggested to them various amendments to make the scheme more acceptable.

Now, Sir, there are many things one can say on an occasion like this, but there are many things better left unsaid. We have been unfortunately

victims of party politics in England which has taught us a lesson which some of us will never forget. I am not one of those who are supporters of independence.

An Honourable Member: What are you then?

Sir Cowasji Jehangir: We have claimed for this country the same position as any free dominion has within the Empire, and we have been led to believe that that was our goal. If England now repudiates that pledge, all I can say is that the seeds of equity and justice which she has sown in this country will be uprooted by the present generation of Englishmen whose word will not be relied on in the future and whose assistance will be rejected with scorn. I feel confident that there is no one in this House, whether he be on the Government Benches or in the European Group, who will not stand by us in obtaining from the Mother of Parliaments that pledge and that assurance that this country's goal is,—do not call it Dominion status if you don't choose to call it so,—equality with any Dominion in the British Empire, and if we all stand together, I am certain that we can get such a pledge

An Honourable Member: You just said that unanimity was impossible.

Sir Cowasji Jehangir: I am certain a demand for such a pledge will be met

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sir Cowasji Jehangir: This is all I have to say.

Mr. Deep Narayan Singh (Bhagalpur, Purnea and the Sonthal Parganas: Non-Muhammadan): Sir, I rise to support the amendment of my friend and Leader, Mr. Bhulabhai Desai. After all that I have heard and all that I have read in the press about this Joint Parliamentary Committee's Report, it is inexplicable to me, Sir, why the British Government are so anxious, so determined, to plant it on our unwilling heads. Surely they are aware that almost every political organisation in this country has denounced it as bad, reactionary, and retrograde, and, therefore, unacceptable. Sir, by a strange irony of fate, we find ourselves today on the same platform as the die-hard elements of the Conservative Party in England,—true,—for different reasons, but the fact remains that today Mr. Winston Churchill and Mr. Desai are both striving, in their own manner, to bring about a decent burial of the Government of India Bill. It is a strange situation and needs looking into. I honestly think, Sir, that the time has come when there should be plain speaking between the British Parliament and the elected Members of this House (Hear, hear),—plain speaking, Sir, without cant or camouflage on either side. We, Sir, have laid all our cards on the table. We have enunciated our rights,—our right to freedom,—our acknowledged right of India's self-determination, our inherent right to guide the destinies of our motherland, according to our own lights, even, Sir, to make mistakes and correct them in the light of experience. We have formulated our demand,—our one and only demand, our maximum and minimum demand,—the transfer of power from British hands to our hands. Sir, are we not, in

[Mr. Deep Narayan Singh.]

all fairness, entitled to equal frankness from the English people? Do they admit our rights? Are they willing to concede our demands? Sir, if they do, I see no difficulty why we should not meet, here in India, as equals and friends, and explore and devise ways and means that will bring about this transference of power with, as little jolt or jar as possible, to the other side. But this Parliamentary Committee's Report does nothing. It does not clear the ground for common action and will not satisfy any section of nationalist India. Sir, these questions need to be definitely answered before we can meet and discuss the future of India. If England says yes, I am sure, even today, she will find India's hand of friendship stretched across the seas, willing to give and take, willing to guard British lives and British property even as her own, willing to learn by their political experience and teach out of her ancient wisdom. But if not let them say a definite no.

An Honourable Member: They have said so.

Mr. Deep Narayan Singh: Let them say a clear and definite no. We shall be sorry, but it will be a satisfactory answer and we shall know where we stand. This hesitation, this evasion, solves no problem.

Time does not permit me to place before the House a detailed criticism of this Bill, but I assure you that there is not a single political organisation of any importance which is willing to accept this. I do not wish to take up further time of this Assembly by going over the same ground that has been gone over by my predecessors; but, Sir, I have read the Bill carefully. I have read the Joint Parliamentary Committee Report, and I am constrained to say that I find the Bill as based on the Joint Parliamentary Committee Report as both a sham and a camouflage. I will not discuss the details of that Bill, but I will refer you to the great speech of the Leader of my Party, Mr. Bhulabhai Desai and you will find that every argument in his speech goes to support my conclusion and my opinion of this Bill. (Applause.)

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I ask the indulgence of this House for a few brief moments to place a personal view before it. I am so near the end of my term of office that I venture to hope that what I may say will not be regarded merely as the expression of a purely official point of view. I am making an honest endeavour to suggest a practical answer to the question of the moment, an answer which I hope will bring the country to its ultimate goal more quickly and with the least possible travail and suffering. Prejudice and sentiment are inevitable accompaniments to the consideration of this question, whether in India or in England; I know that we cannot get rid of either. But, Sir, if we in this House are to give clear lead to the country on this momentous issue, then, I say, that it behoves us to weigh in a just balance, fairly and squarely, all the arguments both for and against any proposed course of action. I am not debating the question whether the scheme of constitutional advance envisaged in the Bill is good or bad, whether it is possible at this stage to induce any substantial alteration of its terms or not.

I, Sir, am concerned with the larger question which has emerged during the course of this discussion in the Assembly, the question of rejection which is advocated by certain sections of this House. I ask myself this question. When we have finished making our gesture, when

we have finished rejecting this Constitution on the floor of the House, when we have finished tearing it to pieces and scattering it to the four winds of heaven, as a speaker said the other day, when we have finished venting our anger, our disappointment, our indignation, what then? What is to happen to constitutional advance in this country? What is the practical object which the advocates of rejection desire to achieve by following the policy which they are now advocating? Let me place before the House my view of the consequences and the effects which must follow rejection. A dispassionate examination of those consequences and results will alone show what is the correct policy for this country to follow. In my view the advocates of rejection can look forward to three possibilities, and as far as I can see, to no other. In the first place, the advocates of rejection may feel that by now rejecting something which is unsatisfactory, they might be able to attain something more satisfactory through the pressure of direct action. That is a possible view. But, Sir, I cannot believe that with the experience of past history before us there will be many serious apostles of direct action. It has been tried, it has failed, it has been abandoned. (Interruption from Congress Party Benches.) Its failure is not the verdict of its opponents alone; its failure is admitted by its advocates who have abandoned a weapon which bitter experience has shown to be useless and powerless, in the form in which it was used, against the forces arrayed in opposition to it. (Interruption from Congress Party Benches.) I cannot believe that there are any who still pin their faith to that means of attaining their political goal. We may, therefore, Sir, I think, take it that the advocates of rejection do not hope to attain something better through the pressure of direct action.

I come then to a second possibility. It is conceivable that there may be some who think that rejection by itself will bring the offer of something better from His Majesty's Government and the British Parliament. It is not inconceivable that if rejection were complete, if it extended to every nook and corner of this country it might give cause for serious thought, but, Sir, let us make no error about it. Let us be under no delusion. However strong, however widespread the feeling that the reforms envisaged in this Bill fall short of national aspirations, those reforms will, in practice, be worked by the large majority of people in this country, and they will be worked in the honest belief that in that way alone lies the possibility of the full fruition of this country's hopes and desires. Sir, in those circumstances, rejection becomes an empty gesture, theatrical, if you like, but meaningless, purposeless, fruitless. There is a third possibility. Rejection may be advocated in the hope that perhaps a change of Government in England may result in this country getting something better. (*Cries of "No"*.) Sir, are we to order the affairs of a nation on the principle upon which Mr. Micawber ordered his own domestic economy, on the principle, namely, of waiting for something, we know not what, to turn up? There is absolutely no guarantee what that something will be, when and if it turns up. Are we to wait for five years, it may be ten years, it may possibly be 20 years, in the hope of some better fortune befalling this country? Are we to allow the energies of this country for an indefinite period to be drawn away from constructive work which is calling loudly and insistently to be done and are we again going to concentrate the energies of this country on politics, on sowing the seeds of bitterness and strife between race and race, between community and community.

Mr. Ghansham Singh Gupta (Central Provinces Hindi Divisions: Non-Muhammadan): May I put a question?

The Honourable Sir Joseph Blore: Please don't interrupt.

Mr. President (The Honourable Sir Abdur Rahim): Let the Honourable Member go on. Mr. Gupta can put his question after the Honourable Member has finished.

The Honourable Sir Joseph Blore: I personally can think of no course which is fraught with so much danger to this country as a postponement of reforms, indefinite in point of time and without any guarantee whatsoever as regards their ultimate character. Now, Sir, if this is all that we can hope for by rejection, if these are the only hopes which inspire the demand for rejection, and, I submit, there are no others, then I venture to say that it would be utter folly to reject this Constitution. There is no practical alternative to working the Constitution and working it, not in the spirit of the wrecker but, in the spirit of one who desires to make the most of it for the good of the country and for the establishment of more cordial and better relations between Great Britain and India. In the establishment of those relations appear to me to lie the most fruitful possibilities of the hopes and aspirations of this country being fulfilled within a reasonable measure of time. Now, Sir, I will say just a few words in regard to safeguards. No one denies that they are wide and extensive in character. But let us be honest and fair. Who is really responsible for these safeguards? Is it not those who have spoken so loudly in the past of expropriation, of confiscation, of repudiation? Or, again, Sir, who but ourselves are responsible for the fear and the demands of our own minority communities? I venture to think that this Constitution, which today is being criticised by every shade of opinion in this country, is the direct and logical consequence of what has been said and done in this country for the last few years. But, Sir, that is a barren theme to pursue. I prefer to look to the future and my view is, that these safeguards will only be used if the representatives of the people who work the Constitution work it with a deliberate intention of forcing their application in practice. I would like to read a passage from the Joint Select Committee's Report in regard to commercial safeguards, which I think bears out that view. It runs as follows (Page 205):

"It should be made clear that the imposition of this special responsibility upon the Governor General is not intended to affect the competence of his Government and of the Indian Legislature to develop their own fiscal and economic policy; that they will possess complete freedom to negotiate agreements with the United Kingdom or other countries for the securing of mutual tariff concessions; and that it will be his duty to intervene in tariff policy or in the negotiation or variation of tariff agreements only if in his opinion the intention of the policy contemplated is to subject trade between the United Kingdom and India to restrictions conceived, not in the economic interests of India but with the object of injuring the interests of the United Kingdom."

An Honourable Member: Please read further down.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Who will be the judge of that?

The Honourable Sir Joseph Blore: The success or failure of the Constitution depends upon the spirit in which both sides come to their task. If either side is determined that this Constitution shall fail, failure

is only a question of time. If both sides are determined that it shall succeed, then, Sir, success is assured. So far as Great Britain is concerned, I venture to submit that she is bound to do all she can to further the success of the Constitution, for it is her own creation and if we can work it in the right spirit, then we may be sure of a co-operation, which in its turn will ensure the success of the Constitution. Let me, Sir, describe what that right spirit should be in the noble words of that great American, Abraham Lincoln—with malice towards none, with charity for all, let us strive on to finish the work we are in; to bind up the Nation's wounds; to do all which may achieve and cherish a just and lasting peace among ourselves,—and, I would add, with that Nation with which our fate is inextricably linked.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): I rise to
 4 P.M. address this House neither as a glorified Nominated Member nor a vilified one. Sir, I rise with equal rights, as any other Member of this House, to express my opinion in all honesty of conviction and to cast my vote as my conscience directs me, and I may tell this House and the debates will bear testimony to the fact that I do not slavishly follow Government into the lobbies. I express myself freely, and, I hope, I shall always do so.

Sir, before I deal with the important matter before the House, I desire to offer my hearty congratulations to the Leader of the Opposition for his very excellent speech. The speech of my Honourable friend, Mr. Bhulabhai Desai, was so reasonable, so controlled, so eloquently delivered, that the whole House owes him a debt of gratitude, for he elevated this debate to a status that I do not think anyone else has equally done and I also think Government owe him a debt of gratitude. Sir, as one of the three Members in this House who had the privilege—the others being Mr. Ghuznavi and Mr. Joshi—to attend all three Round Table Conferences and the Joint Parliamentary Committee, I feel I can talk with some authority and knowledge. But I submit, Sir, before I make any further statement, that if those three Round Table Conferences and the Joint Parliamentary Committee had Mr. Bhulabhai Desai as one of its members, I feel sure, we would not be here today discussing this very heated question. I do believe that the sentiments he has expressed in his speech would have carried more weight with the Members of the British Parliament and Cabinet, who composed these Conferences, than those of almost any other Indian member who attended the Round Table Conferences and the Joint Parliamentary Committee (Loud Applause), and I say this with every sense of responsibility and conviction. I do believe that had he been present we would have today found ourselves marching onward, hand in hand, on the road of India's progress and much nearer to Dominion Status, instead of haggling over details and discussing a variety of amendments such as we are doing today. But, Sir, much as I regret Mr. Bhulabhai Desai's absence there, I do think that this House has benefited much from the Leader of the Opposition's speech.

Before I deal with one or two of the more important aspects of the Joint Parliamentary Committee's Report, I should like to take this opportunity, on behalf of the community,—a minority, a small minority—that I represent in this House, to offer my sincere appreciation and thanks for the generosity with which I was treated, as its spokesman, at the three Round Table Conferences and the Joint Parliamentary Committee by both my

[Lieut.-Colonel Sir Henry Gidney.]

Indian and European colleagues. There are just one or two matters which I must take this opportunity of referring to with a hope that the Leader of the House will transmit any views to the proper channel. What we really do want, Sir, is some alteration of the allocation of the four seats that are given to the community in this House. To allocate those four seats specifically to four Provinces is to throw out of electoral count all the other Provinces in India including the members of the community who reside in these excluded Provinces. I should like the Honourable the Leader of the House to realise that we feel that these four seats should be so apportioned over all India as to afford every member of the community a chance of sitting as a Member in this House and not confining the election to these four Provinces. Might I briefly tell him what I want? The Bombay seat

Sir Cowasji Jehangir: Are you following the Leader of the Opposition's advice?

Lieut.-Colonel Sir Henry Gidney: The Honourable Baronet from Bombay must surely realise that I did not interrupt him once when he spoke, and I ask the same courtesy from him. The Bombay seat to include Sind, Baluchistan, the Central Provinces and Rajputana. The Madras seat to include Bangalore and other assigned territories. The Bengal seat to include Assam and Bihar and Orissa, and the United Provinces seat to include the Punjab, the North-West Frontier Province and Delhi. Such a distribution would really encourage a development of political conscience in the whole community. Sir, regarding the franchise, I have one small observation to make. Considering the fact that there are nearly twenty-thousand of my small community who are today unemployed and considering the fact also that property is to be the main qualification for the franchise, I would ask the Honourable the Leader of the House carefully to note that it is our desire that the right to vote should be given, if not to all active members, at least to the retired members and widows of the Indian Auxillary Force as is to be given to retired members and widows of the Indian Army. We also press, Sir, for greater clarity regarding the phrase "existing—grants-in-aid" as applied to Anglo-Indian and European education and the definition of an "Anglo-Indian".

Just one word about the retrocession of certain assigned tracts. I refer particularly to Bangalore. My personal view is that the community would not in any material way suffer from this retrocession, but, I feel, as its representative in this House, I must express the apprehension of certain sections of the community, especially those resident in Bangalore itself, and I would, therefore, ask the Government of India, before they proceed any further in this matter, to take the residents into their confidence and to frankly place their cards on the table, so that both sides will know what is going to happen and both sides will have an opportunity of expressing their views. Property rights must be respected.

Sir, before I go any further, I wish to refer to a point that was raised by my friend, Mr. Asaf Ali, in which he questioned the lineage, the strain and heredity of the Joint Parliamentary Committee Report that we are discussing today. Sir, none will deny that there is no report (as my Honourable friend, Sir Joseph Bhone, rightly pointed out) that will satisfy everybody. No one can expect that satisfaction. Otherwise we would

not have our different Parties in this House; but, I ask, how could anyone expect a Report like this to satisfy all parties either in England or in India when it has such an extraordinary lineage? Sir, to begin with, it suffers a color, for it has changed from white to blue and again to white. (Laughter.) Its lineage or pedigree can be traced like a race horse to the grand-parents. The grand-parents of this Report were "White Paper"—out of "Labour Government"—by "Mr. Wedgwood Benn". The parents—"The Government of India Bill" out of "National Government", by "Sir Samuel Hoare aided by the diehards". I ask, how can you possibly expect any Bill with such a multiple lineage to satisfy every party? (Laughter.) Sir, the point is that that Bill has a birth of such extraordinary mixture that no one, not even Government, can feel satisfied with it, and are we surprised at the number of amendments that have been placed before this House? I certainly am not.

Sir, I now desire to take up just one or two particular points. In the admirable speech of the Leader of the Opposition, he played about and flirted with that word "religion" and in emphasising it he offered it as the chief reason why his Party had refused to question or to express any opinion on the Communal Award. I think he was quite right in the line he took. But, surely, he cannot deny the fact that religion cannot be ignored in the settlement of anything in this world today. Why, even Mussolini in Italy and Hitler in Germany in all their settlements have had to bow their heads in respect to the "religion" that comes from Rome, and, surely, it cannot be denied, Sir, that religion does play a great part in all political settlements and does play a great part in the settlement of this great Indian problem. So, let us face facts and not camouflage them.

The Communal Award has rightly been left alone by the Congress Party, but for quite another reason. Unfortunately, some Honourable Members like my friend, Mr. Fuzlul Huq, and our big brother, Maulana Shaukat Ali, and Bhai Parmanand stressed this matter and I am, therefore, constrained to say a few words on it. It is no use blaming the British Government or the Prime Minister for having given the Communal Award when the blame lies at our very doors. We sat for hours and hours and weeks and weeks at the Round Table Conference trying to come to an amicable solution amongst ourselves, but we utterly failed. We had with us as a colleague at the second Round Table Conference that great man, Mahatma Gandhi. We had the advantage of his opinion, of his daily attention and his advice, but we utterly failed. It was then at Mahatma Gandhi's personal request to the Prime Minister that he himself undertook to settle the question of the Communal Award. I had the pleasure and honour of being a member of that Committee which sat for a week and myself took down the proceedings of that Committee, and yet we utterly failed. And what was the reason of this utter failure? Because we could not and did not trust each other. It was demonstrated in clear and unequivocal language at that Round Table Conference that there was no mutual trust among ourselves and that there was no common factor to level up or harmonise differences and demands of the different communities that assembled in that Round Table Conference. Whenever we put forward suggestions for settlement, we were told by Mr. Gandhi—and I say this with all respect to him and my Congress friends on the opposite Benches—that the Congress mandate is this: "I am prepared to accept any communal settlement you come to, provided it meets with the unanimous approval of all the communities present". Now, none will deny this mandate was impossible of fulfilment. I remember well the

[Lieut.-Colonel Sir Henry Gidney.]

part that Mr. Fuzlul Huq took in those negotiations. He called my friend, Mr. Ghuznavi, a die-hard in it. I say he was himself a die-hard of die-hards. He cannot forget the many confidential meetings that we held at that time. As a bait to Muslims, 13 out of 14 of Mr. Jinnah's points were promised acceptance by Mr. Gandhi provided the Muhammadans accepted a common electorate. But there was no desire to recognise minority communities such as the Indian Christians, the Europeans or the smaller community, the Anglo-Indians. Mr. Gandhi positively refused to recognise these communities. The only two communities, he as the Congress representative, was prepared to recognise, were the Muslims and the Sikhs. My friend, Mr. Fuzlul Huq, played a great part, but, to the eternal honor of Muslims, be it said, these overtures were refused. And, so, the failure of any Communal Award on this momentous occasion was entirely due to the obstinacy of my friend, Mr. Gandhi, who openly claimed himself to be the representative, not only of the Congress, but the whole of India. So, what is the use of saying that at the second Round Table Conference there were no real representatives of India. If you say that, then you disclaim and discredit the *bona fides* of Mr. Gandhi, and, Sir, I have too great a regard and respect for that great man who, I am sure, had this impossible mandate from his Party. The fault and the failure lie with us. The British Cabinet and His Majesty's Government in the voice of the Prime Minister had no alternative but to lay the first foundation-stone of a Federal Government, by declaring the Communal Award. That Communal Award has been before the public for all this time. Has any serious effort been made to come to a compromise? In this very meeting here today when my friend, Captain Sher Muhammad Khan, was discussing the rights of minorities and their safeguards, one of the Members on the opposite side replied that he was "hoping against hope". Now, what does all this indicate? I am sorry to say so, but it only indicates that there is still mistrust among us. I, therefore, say, in common with all the other minority communities, that much as we should like to share our labours with our brethren on the other side and in the achievement of Dominion Status work hand in hand with them, necessity compels us to ask for adequate protection from the mother-Parliament in the shape of the safeguards as adumbrated in the Joint Parliamentary Committee Report. Even that protection, Sir, I submit, is today not adequate. Look at the feeling of unwisdom—the unreality this House showed towards that most important matter, the Indo-British Trade Agreement, when it rejected it. What good-will does that show to England in whose hands the fate of this Bill lies? Is the future of India's commerce and the prosperity of India to be mortgaged and sacrificed by such a decision—the Congress responses to ridiculous sentiment and purblind prejudice instead of to intelligence and India's benefit? I feel, I must sympathise with my Honourable friend, Dr. DeSouza, when he said, he considered that the safeguards for his community were not adequate. Sir, the operation of safeguards comes very prominently in the future of all minorities especially in the event of a weak Governor refusing to use the safeguards as adumbrated in the Instrument of Instructions and which, I understand, will be hallowed by Parliamentary sanction and which cannot be altered without Parliament having a voice in it. He may, in the interests of peace and harmony, not like to disagree with his Cabinet. Judging from today's debate, on behalf of the minority communities, I am, therefore, reluctantly compelled to ask that our safeguards be ~~statutorily~~ protected and we should be given in clear and specific terms the line of action that is open to us for redress or appeal, should such a position develop.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable member's time is up.

Lieut.-Colonel Sir Henry Gidney: Government, *i.e.* both the Governor General and Governors should be given the executive power to put those safeguards into practical operation. Sir, I have very little more to say except to add that my fear and my anxiety for asking for safeguards and their practical operation is due to the repeated exclusion of the minorities from the consideration of the Congress Party. One has only to read the pages of the Nehru Report to find that no community below a certain strength is to be recognised as such. I, therefore, look upon "safeguards" and the Communal Award that have been given us in the Joint Parliamentary Committee Report as the two great and essential foundation stones on which alone, the future of India could be built. I only hope that the time is not far distant when we will be able to arrive at an amicable settlement. Indeed, I would pay my humble contribution to anyone here who will make a serious effort in that direction. Mine will be a very small contribution, but let me assure the House that I will give it very gladly and entirely, so that we may be able to show unitedly to the British Government that we, as a nation, are capable of taking a larger measure of responsibility than is to be found in the pages of the Joint Parliamentary Committee's Report, and, I believe, that the Members of the European Group will do the same. But you—the Congress Party—cannot have it all your way. You must remember that besides yourselves there are others—the minorities, the total number of which will even outnumber you, whose interests must be considered and assured. Therefore, in your slavish desire to carry everything before you by the weight of numbers, you cannot and will not be allowed to ignore the will and the wishes of those who are equally entitled to the protection of the British Government in the shape of adequate safeguards.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time-limit.

Lieut.-Colonel Sir Henry Gidney: Let us learn to trust each other, for trust begets trust and mistrust, even a veneer of it, engenders mistrust. Our future lies in this, and not in safeguards.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I will touch only a few salient points and will devote the rest of my time to the question of the Statutory Railway Board which has not been mentioned by any of the previous speakers. Sir, I do not want to deal exhaustively with the question of the Communal Award, but I may be permitted to make reference only to one point. I am afraid that the Honourable the Leader of the Opposition, when he advocated his policy, did not exactly appreciate the real situation. He did not appreciate the problem when he advocated that we should have acquisition first and distribution afterwards. It is not the question of acquisition and distribution, but it is the question of devising a method by means of which the majority community may remove suspicion, uneasiness and nervousness, from the minds of the minority communities whom the majority community was going to rule. He and the other leaders implicitly accepted the Communal Award in the Poona Pact. They did not tell the depressed classes: "Acquisition first and distribution afterwards". But they

[Dr. Ziauddin Ahmad.]

applied their mind and devised a method for allaying the feelings of uneasiness from the minds of the depressed classes. Had they applied their mind to solve the problem in 1930-31, I am positive that this Bill, which is now before us, would have been somewhat different. Sir, in discussing the question of the Reserve Bank Bill, I mentioned several types of intoxication and I just mentioned that we ourselves and the British Government are both suffering from intoxication. The British Government is suffering from the intoxication of the fourth type, due to having a majority in their pockets, and we are suffering from the intoxication of the fifth type, due to hopeless division among ourselves, and, it is on account of these intoxications, that we fail to understand each other's point of view:

"A sleepy person cannot wake up the other sleepy person."

Now, Sir, coming first to Provincial Autonomy, I might mention that there is nothing of autonomy about it. I have in my hand the comparative statement of the powers given under the present Government of India Act and in the new Act, and I have come to the conclusion that it is certainly better than what we have at present. But, coming to the Centre, the position is somewhat different. It was repeatedly said in the last Assembly that this Assembly is a debating society, but, under the new Constitution, I think it will be a League of the Provinces. A humourist once described the League of Nations to be a pleasant club where one could go in whenever one liked, and come out whenever one liked. The same will be the case with this League of the Provinces in the coming Federation. There will be some permanent members of this League and there will be some other members who might join the club and become casual members for certain purposes only. They might become members of the club for playing bridge or tennis only.

I have to make, Sir, few observations on the present scheme. The first point is the question of indirect election. I read very carefully the Joint Parliamentary Committee Report and all the points brought out there, but I am afraid they have not appreciated two points in connection with indirect election. They have practically confused the issue. The issue is not which of these methods is most practicable or which of the methods would naturally lead to adult franchise, but really they have by this indirect election transferred the objective of representation by the people to representation by Government. The future Assembly will not be the representative of the people of India, but it will be the representative of the Provincial Governments and all the questions of taxation debated in the new Assembly will be discussed from different angles. When we come to this Assembly, as the representatives of the Provinces, we, at each stage, will discuss that the taxes on a particular commodity should go to the Provinces and not to the Central Government. I will have to press, to be true to my constituency, which will be the Local Government of the United Provinces, on each and every occasion that the sugar duty should go to the United Provinces and should not be pocketed by the Government of India. I may perhaps join hands with my friends from Bengal and fight that the jute duty should go to Bengal and not to the Government of India. Therefore, by this method of indirect election, we will transfer the representation of the people to the representation of the Government, and when questions about taxation are discussed in the

future Legislature, there will be great confusion and we will not be representing the interests of the tax-payer, or the interest of the people, or the interests of the consumer, but we will be representing the interests of Local Governments who would be our electorate. The second difficulty which the Joint Parliamentary Committee Report has not visualised, when it advocated indirect election, is this. I carefully looked into the Report and though it is not explicitly provided in the Act—I hope it will be provided for—whenever a person becomes a Member of the Central Legislature, he cannot remain a Member of the Provincial Legislature. What would be the position? A person who will seek election to the Central Legislature will first find a place in the local Legislature, so that his election might be ensured. Because those who are already Members of the Provincial Legislatures will have better chance of being elected to the Central Legislature than those who are remote. Consequently, most of the places in the Provincial Legislatures will fall vacant on account of the Members seeking election to the Central Legislature and fresh election will have to be ordered for all those Members who have been elected to the Central Legislature from the Provincial Legislatures, and this will involve a great deal of expenditure and unnecessary delay. I am afraid both these points have not been visualised by the framers of the Joint Parliamentary Committee Report, nor by the framers of the Bill now before the Parliament. These are the two important points which ought to be considered in connection with indirect election.

There is another point about the co-extension of the powers to the Upper and the Lower Houses. I believe that no Britishers would agree that the House of Lords should enjoy the same powers as the House of Commons. If they do not agree in their own case, why should they thrust these things upon us, namely, that the Upper House should have the same powers as the Lower House?

“What you do not like for yourself, do not thrust it upon others.”

Sardar Sant Singh (West Punjab: Sikh): Do the Englishmen like foreign rule as they do here in India?

Dr. Ziauddin Ahmad: I would leave that point to be developed by my Honourable friend when he rises to speak.

Now, coming to the question of Federation, I would have very much liked the Simon Commission Report that we should have our own Federation for British India and let the princes look after themselves. I believe they are powerful and they are capable of looking after themselves and they ought to be the last people to demand any weightage in this Legislature. A weightage of about eight per cent. is given to them; it is provided that if half the number come in the Federation, then half of the remaining seats will be distributed amongst them, and, in this way, their weightage will rise to about 15 per cent. I think this weightage of 15 per cent. of the seats to the princes is very unreasonable. They are the minorities who require protection.

I now come to the question of the Statutory Railway Board. We were always under the impression that the Government of India would give opportunity to this Legislature to discuss the Report which was framed

[Dr. Ziauddin Ahmad.]
by a Committee sitting in London. I had the good fortune or the misfortune to be a member of that Committee and I also signed this document, and even this modest document has not been given effect to in the Bill before us.

Mr. Lalchand Navalrai: Did you sign it against your wish?

Dr. Ziauddin Ahmad: I did not agree to some provisions. We put in a very special clause and it is not in the Bill. That clause runs:

"The Federal Minister, responsible for Transport and Communications, may at any time convene a special meeting of the Railway Authority for the purpose of discussing matters of policy or questions of public interest. At such meetings the Federal Minister will preside. The Federal Minister may by order require or authorise the Railway Authority to give effect to decisions of the Federal Government and the Legislature on matters of policy and it shall be obligatory on the Railway Authority to give effect to such decisions."

This is really one of the very important recommendations which I do not find in the Bill. I have read the provisions relating to the Statutory Board in the Bill about half a dozen times, and I should like to be pointed out by somebody who is enamoured with it if there is any provision to that effect.

The next point we made out in the Report was that all the Members of the Statutory Board should be appointed by the Minister. But the majority suggested that three members should be appointed by the Governor General in his discretion and four by the Governor General on the advice of the Federal Government, while we find in the present Bill that "not less than three-sevenths" shall be appointed by the Governor General in his discretion, which means that he might appoint all the members of the Statutory Board.

We now come to the question of rates and freights. This question was left to be specially discussed in the Legislature, but we find that this question has been left to the Governor General, and this Legislature has got no power to discuss any Bill without the recommendations, not the previous sanction, of the Governor General.

Now, Sir, I shall probably have another opportunity in connection with the Railway Budget to discuss this question in detail; but, before I conclude, I should like to stress on one particular point in this Bill. I refer to section 181 of this Report, along with section 180 (e); and here they will find an entirely new proposal. It was not discussed by the London Committee. We have lent to the Railways a sum of 800 crores on which we realise an interest of 32 crores. Now, the Governor General, at his discretion, will fix the exact value of these railways which we are going to hand over to this Railway Authority over which we will have no control in future. We will not be able to ask any questions, we will not be able to pass that budget and we will have absolutely no say in it, because the whole thing has been handed over to a Committee by the Parliament. Now, the Governor General, in his discretion, will fix the value of the railways which we are handing over to the Committee and it is quite possible, or, I say likely, that it may be argued that a bridge, on which we spent a sum of seven crores in construction and three repairs, is not

worth seven crores today, but is worth only about two crores, and, therefore, the remaining five crores ought to be written off. Again, we borrowed money at the rate of five or six per cent. and handed it over to the railways. They will say that at that time the rate of interest was higher, but now we can get money at $3\frac{1}{2}$ per cent. Therefore, it is quite likely that they may evaluate the 800 crores worth property at 600 crores and fix $3\frac{1}{2}$ per cent. rate of interest, so that by one stroke of the pen we will lose an income of 12 crores every year or it may be any amount. It will depend on the Governor General in his discretion, and, in this particular matter, I think we will be very badly off. The loss of interest will be made good by imposition of fresh taxation on the already over-taxed people of India.

Sir, I will say one word more and that is about those persons who cannot speak for themselves and who are for ever deprived of the chance of speaking for themselves, and that is the people of British Baluchistan. Here we have provided that the Regulation which will be framed for them can even set aside an Act of the Legislature. It is very hard for them and we should do something to ameliorate their unfortunate position.

Mr. Sham Lal (Ambala Division: Non-Muhammadan): Sir, I rise to support the motion moved by my learned Leader. Much has been said about mutual goodwill, and an appeal has been made that, if there is goodwill on both sides, this Constitution will work very well. It has also been remarked by the Honourable the Commerce Member that if we do not accept it, what is the result? Well, Sir, while it is true that mutual goodwill is always good, I will say that compromise with evil is a sin. Compromise with evil out of weakness is a great cowardice and a great sin. If we are not able to succeed, let us admit for a moment that we are not succeeding in our struggle, that direct action has not succeeded. I do not admit it. I say that if this Joint Parliamentary Committee Report has been conceived in a spirit of domination and exploitation, it would be a sin and it would be a betrayal of the interests of the country to sign our own death warrant. I do not believe in this helplessness and in this policy of defeatism. The Honourable the Commerce Member has asked, what is the remedy? We know the remedy and we shall have it. But he has not discussed the Joint Parliamentary Committee Report on its merits; he has only given the grounds as to why we should not reject it. What we say is that it is conceived in a spirit of political domination and exploitation and we are not going to endorse it, and let this wish be conveyed to Parliament. What the future result will be, the future will determine. So far as goodwill is concerned, it is very good, and the safeguards will be worked properly and reasonably. That is the argument. Another argument is that these safeguards are evidence of responsibility, and if there had been no responsibility, there would have been no safeguard. That is a strange argument which has been given in this House. Heavy chains are evidence of liberty. We see nervous people keeping their small cash in big iron safes, the bankrupt's making a demonstration of an iron safe in order to deceive people that he has got cash. These safeguards are bogus. There is no cash in them; there are only forged notes and false coin in these safeguards (Laughter), and there is nothing which we can work. It is said that they will be worked in a spirit of goodwill, and Great Britain will lead us to Dominion Status. This we have to see from the past conduct of Great Britain. It has been said in this very House that it was

[Mr. Sham Lal.]

not wise on the part of Great Britain to forget the pledge given by Lord Irwin. How are we to determine the past conduct? How are we to determine that the safeguards would be worked with mutual goodwill? There have been old pledges, pledges given by Queen Victoria. We might forget those pledges, but there is the pledge given in 1929 that India would have Dominion Status. What about that pledge which was given only six years ago? Even the supporters of Government cannot justify that attitude. There was a clear pledge and a promise, and there is a clear violation of the pledge. Then, there is the second pledge. The pledge was that this Constitution Act would be passed upon the agreed decisions, agreed between the representatives of India and Great Britain. What has our friend, Sir Cowasji Jehangir, said? They presented a joint memorandum and every single request and every single proposal has been rejected. It was said that we should adopt the method of argument and persuasion, and not direct action. After all, the Right Honourable Srinivasa Sastri, Sir Cowasji Jehangir and Sir Tej Bahadur Sapru, all adopted the method of persuasion. But did they succeed? For every demand that they made and for every proposal that they made they got nothing but a safeguard. (Laughter.) I would rather say that the joint memorandum helped the British Government in framing these safeguards. They wanted to know what these people want and they were determined not to grant them. I remember the case of a public prosecutor who was not prepared in his criminal appeal and he told the opposing Counsel, "Well, I have come to know that your case is very strong, and I should like to withdraw the case. Will you please let me know your strong points?" The lawyer thought he would do well to explain his strong points to the public prosecutor and then his client would be acquitted. The public prosecutor, after knowing his strong points, argued them very ably and the appeal was rejected. This is how our Knights have acted. (Laughter.) They thought that where argument failed, they would have persuasion; and the same argument is being advanced today. They say they will try this to the end, because direct action is not open to them. They would accept what is given to them, because they cannot have direct action and fight boldly; and they ask us what we are going to do. When the British retreated before the Germans, what did they do? They persevered in the struggle and fought. We know this country is going to be taxed; we know that the tax-paying capacity of the people has reached its limit. We know that the people are starving and we know that the interests of the Imperial Services, the Anglo-Indian and the European Services, have been safeguarded in the Joint Parliamentary Committee Report. And if the poor people come to know that this white elephant is going to be tied to India, they will revolt; and we will ask them to revolt, because direct action is still open to us. We may not revolt owing to our weakness, but the starving people will revolt. There are safeguards for Anglo-Indians for the Europeans, for the Imperial Services. There is no safeguard for the poor people. His Excellency said in this House that India dwells in her cottages: if the nation dwells in cottages, provide for that nation. Where is the provision for that nation? What do we find for the Imperial Services? Their pensions, their Lee loot, everything is maintained: and what else do you find in this political document? You find what sort of medical attendance they should have—the Imperial Service man should have. With regard to his posting and transfer, the Minister will not have any control. Is it a document of the Constitution? I think it is a Moore's Family

Medicine (Laughter) which provides what an Imperial Service man may eat, how many bed-sheets he will have and what he shall do. I remember a speech of the present Home Member, when he was Finance Member of the Punjab Legislative Council: speaking about his coat, he said: "Look at the hard lot of these I. C. S. people; under this ten per cent. cut, you do not realise what hardships we are suffering. Look at my coat which is five years old". . . . (Laughter.)

The Honourable Sir Henry Crick (Home Member): If my Honourable friend wishes to quote me, I wish he would quote me correctly: I did not say five years old: I said twenty years old. (Renewed Laughter.)

Mr. Sham Lal: I am sorry. I think it should have been provided in the Joint Parliamentary Committee's Report that the I. C. S. men should have two suits every year (Laughter), that he should have so many bed-sheets. But what about the cottage dwellers? What safeguard have you provided for them? The answer is: "If we were to safeguard the interests of the bread and butter of the cottage dweller, whom are we going to eat? The interests of bread and butter are safe in our stomach". There is no safeguard for the cottage dweller. I say, he should be protected and safeguarded. Why has this Village Uplift Movement failed? Mr. Brayne is a sincere man and I have great respect for him: but the movement has failed because the Government do not provide any funds: Government do not provide any money; you may start any movement, you may appoint any officers; but if you do not give money, if all the resources of India are going to be mortgaged to the military and to the Imperial Services, there cannot be any money left. We do not want that kind of democracy. Mr. Churchill is afraid of giving an instrument of abdication. Congress and Congress people are prepared to abdicate if the poor people in the villages are provided for. Let there be no democracy: but let there be money provided for the cottage dwellers; let there be that provision in the Constitution Act: let half the money realised from every village be spent for the uplift of that village: let them do it. But can they do it? Then the military would starve; the Indian Civil Service and the Imperial Services would starve: they would have old coats,—twenty years old. It is all a question of money: it is not of political power: the question is, are you prepared to give any money? This question of safeguards is no question at all: there are only two questions involved in it: the first is, has any right been transferred? If any right has been transferred, it has been so hedged in by safeguards that it is worth nothing. As regards these safeguards, we start with an initial handicap. I remember a remark of my Honourable friend, Captain Lal Chand, who is sitting opposite to me, who is going to vote for the Government. When the Rowlatt Act was being explained to him by the then Deputy Commissioner, the Deputy Commissioner said: "Well, this is after all a precautionary measure. If you behave well, no harm can be done to you"; and he then gave an illustration: he said: "Supposing you go for a walk with me every day, and I, as a matter of precaution, carry a pistol in my pocket: you know you are a great friend of mine and I would not shoot you. But, of course, I carry it as a matter of precaution". Mr. Lal Chand then said: "Well, Sir, it is quite all right: you are my friend: I have not got the least suspicion about you: but if you are the sole judge as to whether I am behaving properly or not, I would not take the risk of being shot." (Laughter.) A report was made against him and he knows how he had to clear himself. This is the honest opinion he gave and I think he will

[Mr. Shyam Lal.]

stick to it. If you arm yourself to the teeth, if you begin to make provision for the education of Anglo-Indians and Europeans, if you begin to provide medical attendance for your Imperial Services, if you provide everything for these people, but if you do not provide anything for the poor people, if you do not provide for the proper exercise of his responsibility by the Governor, we cannot trust it: as was said by an Honourable friend, after all, the Governor is not an angel: he might commit mistakes, and what is the object of democracy? That one single man's decision or discretion should be controlled by the votes of the people. If you give everything to the Governor or the Governor General, it would be a farce of a democracy and not democracy at all. And what sort of democracy are you going to have? Democracy in the sense that you are going to have Secret Chamber in the Federal Assembly: the Viceroy with his three Counsellors, one Financial Adviser and one Advocate-General; this will be the Secret Chamber and this would be worse than dyarchy. The Viceroy having decided among his Counsellors will only have to come to the Cabinet and say: "Well: it is my special responsibility and my individual discretion: all these Departments made over to me justify me in taking this step; and as you know, Ministers, I have got the right to dismiss you". Naturally the Ministers would say: "Huzur, we accept your decision. (Laughter.) We accept it: Do not dismiss us: we would be humiliated if you do so: we are ready to endorse everything". Thereupon, the Viceroy would say: "You are very good Ministers and you have given proof of working this Constitution: India will now advance towards Dominion Status".

I only want to give one more story. I remember a school incident which took place forty years ago. As I came from the village, I had great attraction for Ramlila procession. I went with several school boys to see that procession, and what we saw was this: some of our class fellows were taking part as Rama and Lakshmana and Sita in that procession and they were being carried, and people were worshipping them and touching their feet, and so on: some of my class fellows became very envious: next year, when the day came, they said: "We will also try to become Rama and Lakshmana and Sita: these are being worshipped". So they tried and became Rama and Lakshmana and Sita, and, of course, they were worshipped and given very good food: they were given offerings; and when the Ramlila procession was over, they came to us and we asked them how they fared. They said: "Oh, we fared very badly: we did not know: of course in the town and bazaar we were worshipped and we were respected; but, after the procession was over, we were taken in a tent and our ears were pulled and we were scolded and told that we did not know how to act as a king or as a soldier and we said that we were students and we have never worked as rulers or soldiers; and they said that if we did not know how to act as soldiers or rulers, we should do as they said, otherwise we would not be taken next year". Then prompters were engaged, and, of course, they complied with their orders. This would be the fate of our Ministers. (Laughter.) We also put one further question and asked them where the Ramlila money had gone. They said: "Oh, we were not paid anything: the managers pocketed all the money". Well, this Federal Assembly, this Federal Cabinet, this Provincial Cabinet, is going to be a Ramlila Committee. (Loud Laughter.) The Members of the Cabinet will distribute the money among themselves, leaving Rama, Lakshmana and Sita to play their part. Well, I ask, do

you want to have such an Assembly? Do you want such a Constitution? I am sure, nobody would like to have such a Constitution. (Loud Applause.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Mr. Sham Lal: I have nothing more to say, Sir.

Sardar Sant Singh: Sir, my mind is inevitably drawn back to the days when my friends, the delegates to the First Round Table Conference, came back to India with a message of peace and goodwill. They told us then that they had gone there and had conquered. They told us that they had caught the imagination of the British statesmen, they had impressed upon the British public the necessity of giving reforms to India and that they had created an impression there which gave them a strong hope that India had a bright future. They also told us that the British public were willing to concede everything to Indians, provided,—and this was a big proviso,—provided the one party in India, the one political organisation in India, meaning thereby the Congress, came in and took part in the deliberations of the Round Table Conference. Some of our friends, who had gone to England as delegates, are here today. Sir Cowasji Jehangir, Mr. Mody, Mr. Ghuznavi, our friend, the Knight of the Anglo-Indians, Sir Henry Gidney, Mr. Joshi, all of them came back full of cheer, full of great hopes. They returned with a distinct optimistic outlook from the English shores, and this contagion soon caught everybody. I clearly remember, Sir, that when one Honourable Member,—I am sorry he is not in the present Assembly—my friend, Mr. B. R. Puri, preached caution, a wave of indignation passed over the House. Sir, I do not, for a moment, doubt the sincerity of these gentlemen, I do not, for a moment, doubt the earnestness with which they pleaded the cause of India at the Round Table Conference in England. They probably believed then that England was willing to listen to the demands of India, England was willing to listen sympathetically to the demands of India, to concede real power to this House after they had deliberated over what they call the knotty problem of the Indian Constitution. Sir, they had good cause to be optimistic, because the last message which the Prime Minister of England gave them was couched in very happy terms. This is what he said:

“Finally, I hope, and trust, and I pray, that by our labours together India will come to possess the only thing she now lacks to give her the status of a Dominion amongst the British Commonwealth of Nations—what she now lacks for that—the responsibilities and the cares, the burdens and the difficulties but the pride and honour of responsible self-Government.”

This was the message that our friends brought back. Then they succeeded in roping in the Congress; they succeeded in persuading the other parties to join the Second Round Table Conference. What is the tone of their speeches today? We hear Sir Henry Gidney, Sir Cowasji Jehangir, Mr. Mody and several others, speak in a different tone from what they said soon after their return from England. Where is that optimism in them? Where is that cheerfulness? It is missing there.

Captain Sardar Sher Muhammad Khan: It is not missing, their cheerfulness is still there.

Sardar Sant Singh: Of course, cheerfulness is still in my friend, Captain Sher Muhammad Khan, because he has to please his constituency! Sir, today the moderates, the liberals and even legalists are vainly searching for the expression "Dominion Status" in the literature of the Joint Parliamentary Committee Report and the present Bill. But I will furnish them a clue. A chef on board a steamer went up to his Captain and asked him: "Sir, do you call a thing to have been lost when you know where it is?" "Of course, not" replied the Captain. "Then Sir, your tea-kettle lies at the bottom of the sea". Similarly, the Dominion Status lies at the bottom of the sea of safeguards and special responsibilities. But where are those pledges given by His Majesty, by His Majesty's Government, by the Prime Minister, by the British Cabinet and all the successive Viceroy of India, from time to time? Those pledges have disappeared. The Secretary of State, the Great Mughal at Whitehall, felt shy of the term "Dominion Status" when he was heckled in the Joint Parliamentary Committee when he appeared as a witness before it.

Well, Sir, this makes me think seriously of another aspect of the question, and it is this. We all remember that recently every one of us took our oath of allegiance to the King Emperor before we took our seats in this House. It is a serious thing to be considered how far the oath is binding on me when the same oath of allegiance is not binding upon the Members of His Majesty's Cabinet if they can so shamelessly repudiate all the pledges that were given to us by His Majesty himself. That is a serious question to be considered, and I invite the attention of my Honourable friends, who are occupying the Government Benches, to give a serious thought to it. This brings me, Sir, to another question. Really one does not feel very enthusiastic in discussing this Report in this House. One could understand that when we were asked to consider the proposals under the White Paper, we were asked to make a constructive contribution, so that, before those proposals were put before the Joint Parliamentary Committee, the latter might be in possession of the considered opinion of this House as to the modifications demanded by this country. It was assured that the Joint Parliamentary Committee would give some thought to those suggestions of ours. That discussion took place in this House, and though the Assembly then was very docile, yet even they carried the Resolution which was sponsored by you, Sir. Certain constructive proposals were made, but those proposals, we find, have not had the least effect upon the Members of the Joint Parliamentary Committee. Today, the Honourable Sir Joseph Bore asked us, why do you reject this, what is this attitude of rejecting this Bill, what will you gain by that barren policy? I was very carefully and attentively listening to the speech of my Honourable friend, and I thought that he would give us a lead in the matter and would tell us what other course was open to us, so that our views might be considered sympathetically by the Parliament. We gave our views once and they were rejected. We are willing to give our views again, provided there is some assurance that our views will receive some consideration. The tone of the speeches that have been made on behalf of the Government by the Honourable Members on the Treasury Benches have created this impression on me that even the Members of the Government do not seriously believe in the recommendations of the Joint Parliamentary Committee. ("Hear, hear" from the Opposition Benches.) What, Sir, is the need to consider it? The democratic form of Government has come to be liked by the greater portion of human

beings in this world, because it possesses only one charm, and that charm is that it reduces to the minimum the dangers of a bloody revolution. Is there any other charm in it? If you want to get rid of a despot, you must kill him and thus put him out of the way. If you want to get rid of a despotic Government, you will have to shed blood. But, under the democratic form of Government, after a given period, we have simply to go to the people and ask for their mandate, come back and form the Government. That is the charm in the democratic form of Government. That is the simple advantage which the humanity values and which we value.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time. He has already spoken for fifteen minutes.

Sardar Sant Singh: I will finish in two minutes. So, my submission is that if England really wants to introduce a really democratic form of Government, give us that Government which can be changed at the will of the electorate. That is the proposition which I put before the House. If that Government is not going to be given to us, if we are to be elected by the method of indirect election, that would not be democratic Government; it may be anything else. In conclusion, I wanted to say something about certain defects in the Government of India Bill with regard to the communal question, but I have no time and I must leave it at this stage. I will simply say that, if we really want to win self-government, we must tell the British public that we are disappointed at this Bill, and that we have no other course open to us but to reject this Joint Parliamentary Committee Report.

Mr. President (The Honourable Sir Abdur Rahim): Before adjourning the House, the Chair desires to inform Honourable Members that the House has already had 24 speakers on this motion, but the Chair believes that there are still some more Members who desire to take part in this debate. Besides, there is the Honourable the Leader of the House who has got to reply to the entire debate, and, the Chair thinks, it is also the desire of the House that there must be sufficient time for putting the questions arising out of the different amendments to the vote of the House. The Chair, therefore, thinks, that it would be the general desire of the Honourable Members that the House should suspend questions tomorrow. (Cheers.) At the same time, the Chair would ask Honourable Members, who wish to take part in the debate tomorrow, to confine themselves strictly to the time limit which has been agreed to by the House.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 7th February, 1935.