

***THE INDIAN LEGISLATIVE COUNCIL***

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**P L**

PROCEEDINGS

OF

THE INDIAN LEGISLATIVE COUNCIL

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

From April 1919 to March 1920

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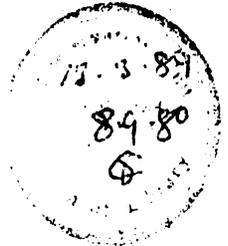
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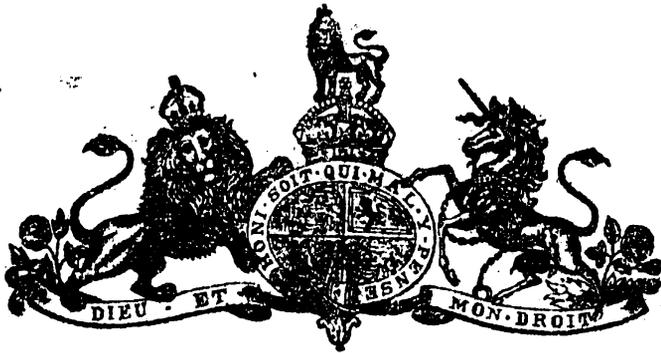
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GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915.  
(5 & 6 Geo. V, Ch. 61.)

The Council met at the Council Chamber, Viceregal Lodge, Simla, on  
Wednesday, the 10th September, 1919.

PRESENT :

His Excellency BARON CHELMSFORD, P.C., G.M.S.J., G.M.J.E., G.C.M.G., G.C.B.E.,  
Viceroy and Governor General, *presiding*, and 52 Members, of whom  
48 were Additional Members.

OATH OF OFFICE.

The following Additional Members made the prescribed oath or affirmation of allegiance to the Crown :—

The Hon'ble Mr. Walter Erskine Crum, O.B.E.  
„ Chaudhri Muhammad Ismail Khan.  
„ Lieutenant-General Sir Havelock Hudson,  
K.C.B., C.I.E.

QUESTIONS AND ANSWERS.

The Hon'ble Rao Bahadur B. N. Sarma asked :—

1. " Will Government be pleased to state what recommendations, if any, they have made to the Secretary of State or the Currency Committee regarding

11 A.M.  
Gold  
Standard  
Reserve.

[*Rao Bahadur B. N. Sarma ; Mr. H. F. Howard ; Sir William Vincent.*]

[10TH SEPTEMBER, 1919.]

the location and disposition of the Gold Standard Reserve; and whether any and how much of the securities held in the said reserve are proposed to be converted into gold or silver, and what rate or rates of interest they are fetching?"

**The Hon'ble Mr. H. F. Howard** replied :—

"The Government of India cannot at the present stage disclose the recommendations made by them to the Currency Committee on this subject. A statement\* showing the rates of interest yielded by the various securities held in the Gold Standard Reserve on the 31st March 1919 is placed on the table."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Purchase of silver.

2. "(a) Has all the silver purchased from the United States been shipped to India?

(b) Has any additional silver been purchased? If so, how much and at what rate?"

**The Hon'ble Mr. H. F. Howard** replied :—

"(a) Yes.

(b) It is undesirable to make public the information in question, but I shall be pleased to give the facts privately to the Hon'ble Member."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Gold mohurs and sovereigns coined at the Indian Mints.

3. "What is the number of gold mohurs and sovereigns coined at the Indian Mints since 1917?"

**The Hon'ble Mr. H. F. Howard** replied :—

"There was no coinage of gold in India in 1917. From 1918, 2,109,660 gold mohurs and 1,295,644 sovereigns have been coined in India."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Appointment of Sir Edward Maclagan as Lieutenant-Governor of the Punjab.

4. "On what date did Sir Edward Maclagan arrive in India in April, and what were the reasons, if any, that prevented his taking over charge of the administration of the Punjab at once?"

**The Hon'ble Sir William Vincent** replied :—

"Sir Edward Maclagan landed at Bombay on 21st April, 1919. In view of recent events in the Punjab, the Government of India considered it desirable to place him on special duty to assist the Lieutenant-Governor at a time when the burden of administration was peculiarly heavy. This arrangement continued till 26th May 1919, when Sir Michael O'Dwyer's term of office expired in the ordinary course."

[10TH SEPTEMBER, 1919.]

[Rao Bahadur B. N. Sarma ; Sir George Barnes ; Sir Arthur Anderson.]

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

5. " Will Government be pleased to state what recommendations, if any, they have made regarding the Asiatics Trading and Land Act (Transvaal) and the results thereof ? "

The Asiatics Trading and Land Act (Transvaal).

**The Hon'ble Sir George Barnes** replied :—

" The Hon'ble Member's question has really been answered by His Excellency the Viceroy's opening speech. The Government of India have, since the Act became law, urged the Secretary of State that a strong representation be made to the Union Government with a view to a reconsideration of the matter. The Hon'ble Member may be assured that the Secretary of State is fully aware of the great importance of the question, and it appears from recent telegrams that he has just received a deputation on the subject in London. The Hon'ble Member is aware that a Commission is about to be appointed in South Africa, and the Government of India propose, as His Excellency said, to depute Sir Benjamin Robertson to South Africa to represent their views."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

6. " Will Government be pleased to state—

(a) the quantities and values of the rails, rolling stock, and other railway materials belonging to Indian Railways sent outside British India for the purposes of the war ?

Quantities and values of rails, rolling stock sent out of British India.

(b) whether and to what extent and at what cost it has been replaced, when the remainder is proposed to be replaced, and who will bear the difference in cost ? "

**The Hon'ble Sir Arthur Anderson** replied :—

" (a) Railway materials belonging to Indian railways, which were sent out of India for the purposes of the war, include 774 miles of new and second-hand rails, 217 locomotives, and 5,423 vehicles. Of the rolling stock 193 locomotives and 4,908 vehicles were metre gauge. Other materials are so varied in character that they cannot be enumerated in detail. The value will not be known until final adjustments have been made.

(b) Prior to the cessation of hostilities the replacement of 157 metre gauge locomotives and 2,500 vehicles had been arranged. Orders which have been placed since the removal of manufacturing restrictions more than cover the balance. Railways expect to receive 1,100 miles of rails this year.

Government propose that the final adjustment of the cost of materials which have been supplied by Indian railways and which have to be replaced shall be such that railways shall not suffer loss."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

7. " What is the total coinage of gold and silver (Rupees and small coins) since 1st February of this year, and the quantity of silver bullion already purchased or agreed to be purchased and now available for coinage ? "

Coinage of gold and silver.

[*Mr. H. F. Howard ; Rao Bahadur  
B. N. Sarma ; Sir Arthur Anderson ;  
Sir William Vincent.*]

[10TH SEPTEMBER, 1919.]

**The Hon'ble Mr. H. F. Howard** replied :—

“ There has been no coinage of gold since 1st February 1919. Between that date and the 22nd August 1919 (the latest date for which figures are available), whole, half and quarter rupees of the aggregate value of Rs. 80.98 crores were coined. The silver bullion under coinage on the 22nd August, 1919, amounted in value to Rs. 19.16 crores. ”

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Construc-  
tion of  
Raipur  
Parvatipur  
Section of  
the Vizian-  
agram  
Parvatipur  
Railway.

8. “ Do Government propose (a) to begin the work of constructing the Raipur Parvatipur section of the Vizianagram Parvatipur Railway, and (b) to provide funds for the construction of the said railway during the next year's budget ? ”

**The Hon'ble Sir Arthur Anderson** replied :—

“ (a) It is the intention of Government, subject to the Secretary of State's concurrence, to recommence construction of the Raipur-Vizianagram Railway at the earliest possible date.

(b) Next year's budget has not yet been framed, consequently it is not possible to say whether funds can be made available in it for this work. ”

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Adminis-  
tration of  
the Punjab.

9. “ (a) Is it a fact that the Secretary of State promised an inquiry into the administration of the Punjab ?

(b) If so, will Government be pleased to state—

(i) when the Committee of Inquiry is to begin its sittings ;

(ii) what powers are to be given to the Committee ;

(iii) what its composition is likely to be ; and

(iv) the nature and scope of the inquiry ? ”

**The Hon'ble Sir William Vincent** replied :—

“ The Hon'ble Member's attention is invited to the announcement made by His Excellency the President in his opening speech of September 3rd. ”

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Trials under  
the Martial  
Law Tri-  
bunals in the  
Punjab.

10. “ (1) How many persons were tried in the Punjab by the special Martial Law tribunals, and how many of them were sentenced (a) to death, (b) to transportation for life, (c) to imprisonment exceeding three years, and (d) to forfeiture of property ?

(2) How many such persons have appealed or applied for mercy ; and have all such petitions been disposed of by the authorities before the death sentences were executed ?

[10TH SEPTEMBER, 1919.]

[*Rao Bahadur B. N. Sarma ; Sir William Vincent ; Sir Arthur Anderson.*]

(3) How many of those sentenced to death have been executed ?

(4) In how many cases of persons convicted by the Martial Law tribunals have (a) the sentences been reduced, and (b) orders of forfeiture of property been cancelled ?”

**The Hon'ble Sir William Vincent** replied :—

“ (1) 852 persons were tried.

(a) 108 were sentenced to death.

(b) 265 to transportation for life.

(c) 104 to imprisonment exceeding three years.

(d) 356 to forfeiture of property.

The Hon'ble Member's attention is drawn to the provisions of section 121 of the Indian Penal Code, under which most of these persons were convicted. The minimum sentence which can be imposed under that section is transportation for life and forfeiture of property.

2. All persons sentenced to death submitted petitions to Government, and the petitions of all the 18 persons who have been executed were duly considered before execution. The Government of India are not aware how many petitions have been presented in non-capital cases, but all cases have been reviewed by the Local Government whether petitions were presented or not.

3. 18 persons have been executed.

4. (a) 488 sentences have been reduced.

(b) 832 sentences of forfeiture have been remitted : and in ten other cases the sentences have not been enforced.”

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

11. “ Will Government be pleased to state (i) the demands of the several Railway systems in India for additional rolling stock (passenger and goods) to meet their traffic requirements, (ii) what proportion thereof can be manufactured or built in India, (iii) what improvements and additions in the Railway workshops are proposed to be made in the current year ?”

Additional rolling stock, etc., for India.

**The Hon'ble Sir Arthur Anderson** replied :—

“ (1) The demands of the several railway systems in India for additional rolling stock amount to 692 passenger vehicles and 12,836 goods vehicles.

(2) With regard to the second part of the question, the Hon'ble Member is probably aware that efforts have been made to encourage wagon building in India, but it is not anticipated that more than 2,500 wagons will be delivered during the current year.

(3) With regard to the last part of the question, approximately 81 lakhs of rupees have been allotted for the current year for improvements and additions to railway workshops.”

[Rao Bahadur B. N. Sarma ; Sir George Barnes ; Sir Arthur Anderson ; Sir William Vincent.]

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**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Steamer building in India.

12. "(a) What constructive proposals, if any, have Government resolved upon to encourage steamer building and steamer owning in India ?

(b) Is any additional shipping required to relieve the railways from the carrying of coal ? If so, how much ?"

**The Hon'ble Sir George Barnes** replied :—

"(a) The Hon'ble Member is referred to the answer given him by the Hon'ble Sir Thomas Holland in the meeting of the Council on the 1st of March last, when it was pointed out that, in the case of ocean-going steel ships, it would be inadvisable to give active encouragement until India was in a position to manufacture the principal materials required for their construction, especially steel plates which form a large fraction of the total.

Although some progress has been made in the direction of developing the manufacture of steel plates in India, the general position has not sufficiently developed to enable any more definite reply to be given. The Hon'ble Member may rest assured that, when conditions are suitable, every reasonable help will be afforded by Government for the building of steamers.

With regard to the second part of the question the answer is Yes. If steamer freight is made available at rates which bear favourable comparison with those of railways, it is estimated that coal for local ports to the extent of fully 100,000 tons per month might be diverted from the rail to the sea route."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Indian Railways.

13. "Will Government be pleased to state when a Committee regarding the future administration of Indian Railways will be appointed ?"

**The Hon'ble Sir Arthur Anderson** replied :—

"The Government of India had hoped to set up a Committee to inquire into various matters concerned with Indian railways during the coming cold weather, but it has been found necessary to defer this inquiry until next year. This is mainly due to the fact that the railways are still greatly understaffed owing to the continued absence of many of the superior staff on military duty, and, further, it seems desirable that all the energies of the existing staff should at present be devoted to getting the railways back into normal conditions."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

Publication of news during the disturbances in the Punjab.

14. "(a) Was any difference made between the Indian and European edited newspapers of the Punjab regarding the publication of news during the late disturbances and, if so, why ? (b) What control, if any, was exercised by the Government of India over the Punjab Government in this matter ?"

**The Hon'ble Sir William Vincent** replied :—

"The Government of India are informed that the publication of all news relating to the disorders in the Punjab was subjected to precensorship without

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[*Rao Bahadur B. N. Sarma ; Mr. R. A. Mant ; Sir William Vincent ; Sir Dinshaw Wacha ; Mr. Shafi ; Mr. H. F. Howard.*]

any such discrimination as is suggested. The Government of India passed no orders on the subject."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

15. "Do Government propose to take up any large irrigation projects in the Madras Presidency and the rest of India next year?"

Proposed  
Irrigation  
projects in  
India.

**The Hon'ble Mr. R. A. Mant** replied :—

"Several large new irrigation projects, including one in the Madras Presidency, are under consideration, and it is hoped that at least two of these will receive the sanction of the Secretary of State in time to permit of construction work on them being commenced next year."

**The Hon'ble Rao Bahadur B. N. Sarma** asked :—

16. "On how many occasions were fire-arms used (i) by the Military and (ii) by the Police, in Amritsar in March, April and May, and how many were injured and how many were killed on each occasion?"

Use of  
fire-arms at  
Amritsar.

**The Hon'ble Sir William Vincent** replied :—

"Fire-arms were used by the military and police in Amritsar on three occasions—twice on the 10th April and once on the 13th April. The total number killed so far as it can be ascertained is 301. Information as to the number injured is not available."

**The Hon'ble Sir Dinshaw Wacha** asked :—

17. "In view of the census of population which it is intended to take in 1921, do Government propose to consider the advisability of inserting the necessary column or columns in the census form for recording the number of one room tenements in the different provinces of British India?"

Census for  
1921.

**The Hon'ble Mr. Shafi** replied :—

"The question will be considered in consultation with the Census Commissioner and Local Governments."

**The Hon'ble Sir Dinshaw Wacha** asked :—

18. "Have the securities of 16.08 crore Rupees in India and of 82.49 crore Rupees in England which were held in the Paper Currency Reserve on 30th June 1919, undergone any depreciation since their purchase, and if so, what is the amount of the loss between their market price (on 30th June 1919) and their actual purchase price?"

The Paper  
Currency  
Reserve.

**The Hon'ble Mr. H. F. Howard** replied :—

"The securities held in India on behalf of the Paper Currency Reserve on the 30th June 1919 consisted of 3½ and 3 per cent paper, the purchase price of which was Rs. 8 and 2 crores, respectively, and Indian treasury bills purchased for Rs. 6.08 crores. On that date, the market value of the rupee paper fell short of the purchase price by Rs. 3 crores. No question of depreciation arises in the case of the treasury bills."

[*Mr. H. F. Howard ; Sir Dinshaw Wacha ;  
Sir Arthur Anderson ; Sir George  
Barnes.*]

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The securities of the Reserve held in England on the 30th June 1919 comprised British treasury bills purchased for £ 54·1 millions and Consols of the face value of £ 1 million. In the case of the former there is no question of depreciation. Out of Consols of the face value of £ 3·1 millions originally held in the Reserve, £ 2·1 millions have been replaced by British treasury bills, the loss of £ 600,000 on their sale having been met out of the Paper Currency Reserve Depreciation Fund, the constitution of which was explained by Sir William Meyer in paragraph 12 of his speech introducing the Financial Statement for 1917-18. The balance of £ 1 million now remaining will also in due course be similarly dealt with, there being a sufficient balance in the Depreciation Fund to cover the loss on their sale."

**The Hon'ble Sir Dinshaw Wacha** asked :—

Railway line  
between  
Burma and  
India.

19. " Will Government be pleased to state what progress has been made with the proposed railway between Burma and India? To whom has the concession for construction been given? Is it an Indian Company? Will the State build and manage the Railway themselves?"

**The Hon'ble Sir Arthur Anderson** replied :—

" The preliminary investigations into railway connections between Burma and India have not yet been completed. During 1914-15 extensive survey operations were carried out to ascertain the best alignment for a rail connection, along the coast route, between Chittagong and certain stations on the Burma Railways, South of Mandalay. A rival route *via* the Hukong Valley between the northern section of the Assam Bengal Railway and the section of the Burma Railways north of Mandalay was to have been surveyed during the following year, but was postponed because of the war. It is now proposed to commence this survey during the coming cold weather, and on its completion Government will have sufficient information to enable them to decide which route shall be adopted. Thus no arrangements for the construction of a line have yet been made, nor has any concession been granted, but it is probable that the line selected will be built at the cost of Government and worked by one or other of the main lines which it will connect."

**The Hon'ble Sir Dinshaw Wacha** asked :—

Legislation  
in  
connection  
with the  
malprac-  
tices in  
Ginning and  
Pressing  
Factories.

20. "(a) Does the Report of the Indian Cotton Committee disclose certain malpractices in ginning and pressing factories?"

(b) Do Government propose to introduce legislation at an early date to give effect to the recommendations of the Committee in regard to these and connected matters?"

**The Hon'ble Sir George Barnes** replied :—

" (a) Yes.

(b) The matter is under consideration."

**The Hon'ble Sir Dinshaw Wacha** asked :—

Constitution  
of the East  
Indian  
Cotton  
Association.

21. "(a) What steps do Government propose to take to constitute the East India Cotton Association, as recommended by the Indian Cotton Committee and according to the scheme prepared by Mr. N. N. Wadia? Did Government send Mr. Wadia to Liverpool in connection with such a scheme?"

(b) Will Government be pleased to lay on the table any criticisms received from Local Governments on Mr. Wadia's scheme?"

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[*Sir George Barnes ; Sir Dinshaw Wacha ;  
Raj Sahib Seth Nathmal.*]

**The Hon'ble Sir George Barnes** replied :—

" Mr. Wadia was asked to go to Liverpool in connection with the scheme recommended by the Indian Cotton Committee for the establishment of a Central Cotton Trade Association in Bombay. His scheme for such an Association, under the name of the " East India Cotton Association " has been referred to the Government of Bombay for their opinion, but their criticisms have not yet been received."

**The Hon'ble Sir Dinshaw Wacha** asked ;—

22. "(1) Will Government be pleased to state ;—

Indian  
women  
labourers in  
Fiji.

(a) whether they have made, since the close of the last session of the Council, any fresh representation to the Government of Fiji, either directly or through the Secretary of State, for the amelioration of the condition of Indian women labourers in Fiji ; and

(b) whether any progress has been reported by the authorities in that Colony in response to such representation, specially in respect of, the expatriation of such of the women as have completed their contract service ; also, the progress, if any, made towards the construction of separate dwelling houses for them in a sanitary locality and the engagement of matrons to look after their social and moral welfare ?

(2) Are Government aware of the submission of a representation by the Indian Imperial Association of Fiji to the Government of Fiji ? If so, are they in receipt of a copy thereof which can be placed on the table ?"

**The Hon'ble Sir George Barnes** replied :—

" I would refer the Hon'ble Member to His Excellency the Viceroy's speech at the opening of this Session of the Council, which gives him much of the information which he desires.

By way of further answer, I may tell him that the Government of India have been in constant communication with the Secretary of State concerning the labourers in Fiji, and among other documents, have forwarded to him a copy of the Hon'ble Member's own letter to Sir Thomas Holland during my absence.

The Government of India received a telegram dated 10th August from the Indian Imperial Association of Fiji, a copy\* of which is laid on the table ; but they have received no copy of any representation made by the Association to the Fiji Government. The terms of the telegram presumably refer to the Resolution of the Fiji Legislature which fixed August 1st, 1920, as the date of the final cancellation of indentures. So far as we know, however, this date cannot be termed a postponement, as no earlier date was ever fixed. As His Excellency said in his speech, the Government of India are pressing for the cancellation of all outstanding indentures by the end of the current year."

**The Hon'ble Raj Sahib Seth Nathmal** asked :—

23. " Are Government aware that the introduction of the forms under the present Income-tax Act requiring assesseees to fill in their exact income subject to certain penalties has caused discontent ? Do Government propose to consider the desirability of introducing some panchayat system as before or of consulting non-official opinion with regard to the amendment of such forms ?"

The Income-  
tax Act.

\* Not included in these Proceedings.

[*Mr. H. F. Howard; Mr. Kamini Kumar Chanda; Sir William Vincent.*]

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**The Hon'ble Mr. H. F. Howard** replied :—

"The Hon'ble Member is presumably referring to the return of income prescribed under section 17 (2) of the Income-tax Act, 1918. A model form for that return was suggested by the Government of India for adoption in the various Provinces, the decision as to the actual form adopted being left to the discretion of Local Governments. Various protests against this return were received, mainly from persons in the Bombay Presidency. In forwarding the memorials the Government of Bombay remarked that in their opinion these had their origin primarily in the desire to conceal the abnormal profits which had been made of late, particularly in the cloth trade, and to revert to the former method, which left it to the Collector to make assessments on such information as he might have been able to obtain. The Government of India concurred in that opinion, and the memorials were rejected. As regards the penalties prescribed for omission to fill in the form, Government have no reason to suppose that Collectors of Income-tax do not allow assessee all reasonable latitude by extending the period wherever necessary for filling-up the form.

As regards the panchayat system referred to in the Hon'ble Member's question, it is not clear whether he intends to suggest that panchayats should be consulted as to the form of the return of income, or whether he refers to the general question of utilising non-official assistance in making income-tax assessments. If the former, the answer is in the negative; if the latter, the Hon'ble Member is referred to the Government of India's Resolution of the 2nd July 1919, a copy\* of which is laid on the table."

**The Hon'ble Mr. Kamini Kumar Chanda** asked :—

Removal of restrictions placed upon Mr. Asaf Ali of Delhi.

24. "My Lord, since giving notice of this question, I find that the restrictions as regards Mr. Asaf Ali have been removed. I therefore put only clause (c) of the question.

(c) Do Government propose to consider the propriety of withdrawing such restrictions without further delay in respect of Mr. Asaf Ali and other persons against whom similar action was taken under the said Rules during the War?"

**The Hon'ble Sir William Vincent** replied :—

"(c) It is within the competence of Local Governments to withdraw restrictions imposed under the Defence of India Rules. Several months ago the Government of India invited Local Governments to consider the desirability of removing all such restrictions in view of the altered situation caused by the cessation of hostilities. Local Governments have since been steadily pursuing this policy, and in the great majority of cases the restrictions have now been withdrawn."

**The Hon'ble Mr. Kamini Kumar Chanda** asked :—

The Ecclesiastical Establishment in India.

25. "(a) What has been the growth of the Ecclesiastical establishment in India and the expenditure thereon during the last fifty years?"

(b) What portion of the present expenditure is for the military and what for the civil population respectively?"

\* Not included in these Proceedings.

† "(a) Is it a fact that restrictions were placed under the Defence of India Rules upon Mr. Asaf Ali, Barrister-at-Law of Delhi?"

(b) Is it a fact that the said restrictions have not yet been removed?"

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[Mr. H. Sharp; Mr. Kamini Kumar Chanda.]

**The Hon'ble Mr. H. Sharp** replied :—

“ My Lord, I answer this question on behalf of your Excellency.

(a) The years 1867 and 1917 are selected as convenient dates for showing the growth in 50 years of the ecclesiastical establishment and the expenditure thereon, since the last figures available are those for 1917. In 1867, the regular ecclesiastical establishment consisted of 8 Statutory Bishops and 160 chaplains belonging to the Church of England and 13 chaplains belonging to the Church of Scotland. The establishment in 1917 consisted of the same number of Statutory Bishops and 166 chaplains (including 4 non-Statutory Bishops) belonging to the Church of England and 18 chaplains belonging to the Church of Scotland. There was thus an addition of 11 chaplains during the 50 years ending 1917. There has been no increase of regular establishment since that year.

The establishment mentioned above represents the establishment in the strict sense of the term—that is to say it does not include clergymen of various denominations who are not on the regular establishment, but who are in receipt of allowances or capitation grants for the performance of certain duties, mainly in connection with troops.

The total expenditure on all kinds of establishment was Rs. 18,12,020 in 1867 against Rs. 24,22,752 in 1917.

These sums include the allowances and capitation grants given to the clergy just mentioned. They also include cemetery charges, since it is difficult in dealing with the figures of 1867 to discriminate cemetery charges from the charges involved in the up-keep of the establishment. They do not include expenditure upon the erection and up-keep of churches, their furniture, etc., since charges on these accounts form no part of the charges incidental to the establishment; nor does the latter figure include a sum of Rs. 76,000 which has been expended upon additional clergy attached to the Indian Expeditionary Forces, since such expenditure is of a temporary nature and the addition of it would vitiate the comparison.

(b) The ecclesiastical charges are entered partly in the civil and partly in the military estimates. The military estimates provide for Roman Catholic and Wesleyan chaplains and clergy of other denominations who are entertained for the service of the soldiers of those denominations. The cost of all the Anglican chaplains on the regular establishment, the cost of those Presbyterian clergy who are not attached to regiments, and the allowances made to Anglican clergymen who are not on the regular establishment, together with charges for their subordinate establishment and for contingencies are included in the civil estimates. Of the total expenditure it may be roughly assumed that about two-thirds represents military expenditure, and the balance is for civil purposes.”

**The Hon'ble Mr. Kamini Kumar Chanda** :—“ My Lord, may I put a supplementary question? Do the Government propose to show the military and civil expenditure separately in future returns?”

**The Hon'ble Mr. H. Sharp** :—“ The proposal of the Hon'ble Member would have to be considered.”

**26. The Hon'ble Mr. Kamini Kumar Chanda** :—“ My Lord, I find that this question has practically been answered in answering the Hon'ble Mr. Sarma's question No. 5. I therefore withdraw it.”

The question was by leave withdrawn.

\*“(a) Is it a fact that a Bill has been introduced in the South African Legislature which imposes restrictions on Indians residing in South Africa and deprives Indians of the Transvaal of vested rights, and deprives them from holding fixed property even as shareholders of Companies or as mortgagors and makes it impossible for them to obtain a trading license for any new business in the future?”

(b) Is it a fact that there was a compact in 1914 with the knowledge and participation of the Government of India which secured certain rights and privileges to Indians in South Africa?”

(c) Is it a fact that the present Bill if it passes into law will be in derogation of the said compact?”

(d) Are the Government of India aware that the Bill has caused resentment and consternation among the Indians residing in South Africa as well as in India?”

(e) Do Government propose to take any action in the matter?”

Imposition  
of restric-  
tions on  
Indians  
residing in  
South  
Africa.

[*Mr. Kamini Kumar Chanda ; Sir  
William Vincent ; Maharaja Sir  
Manindra Chandra Nandi.*]

[10TH SEPTEMBER, 1919.]

**The Hon'ble Mr. Kamini Kumar Chanda** asked :—

Enrolment  
of prominent  
citizens of  
Delhi as  
special  
constables.

27. (a) Did the Deputy Commissioner of Delhi enrol certain prominent citizens of Delhi as special constables lately ?

(b) Will Government be pleased to publish their names ?

(c) What was the strength of the Police force at Delhi at the time, and was it necessary under the circumstances to enrol special constables ?

(d) Was it by way of punishment of the parties that they were enrolled as special constables ?

(e) Did they, or any of them, discharge the duties imposed upon them by such enrolment ? If not, was any action taken in the matter ?

(f) How long was the order in force ? How did the enrolment become inoperative ?

**The Hon'ble Sir William Vincent** replied :—

(a) On the 17th April after the rioting in the Chandni Chowk (when the police had to fire in self-protection) the District Magistrate of Delhi on the application of the Senior Superintendent of Police appointed 14 residents of Delhi to act as special police officers under section 17 of the Police Act, V of 1861.

(b) Government do not propose to publish the names of the persons appointed as special police officers, but I shall be glad to give them to the Hon'ble Member privately if he so wishes.

(c) The total strength of the police force in the Delhi Province on that date was 1,365 officers and men. Of this number, there were available for special duties in connection with the disturbances about 200 officers and men. Under section 17 of the Police Act the responsibility for deciding whether the assistance of special police officers is necessary for the preservation of the peace is vested in certain police officers not below the rank of Inspector, and the Magistrate to whom application for assistance is made by such officers is bound to comply with the application unless he sees cause to the contrary.

(d) The persons were appointed as special police officers for reasons similar to those which will be found stated at length in paragraph 293 of the Bengal Police Regulations, namely, by reason of their special influence over the people.

(e) The special police officers, except those who were unwell or absent from Delhi, obeyed the orders issued to them.

(f) The order actually came into force on the morning of Friday, April 18th; it was cancelled in respect of one special police officer on April 19th and in respect of the remainder on Monday, April 21st, when the District Magistrate was satisfied that there was no likelihood of further rioting or *hartal*. The enrolment became inoperative by the District Magistrate's order. The District Magistrate when discharging them thanked the special police officers for the services rendered."

**The Hon'ble Maharaja Sir Manindra Chandra Nandi** asked :—

Decision to  
treat Bengal  
as a  
"surplus"  
province in  
respect of  
rice  
supplies.

28. (a) Has a decision to treat Bengal as a 'surplus' province in respect of rice supplies been arrived at by the Foodstuffs Commissioner ? If so, when was this decision come to and what were the materials before the authorities at the time, justifying such decision ?

(b) Were the Government of Bengal consulted in the matter prior thereto ?

[10TH SEPTEMBER, 1919.]

[Mr. R. A. Mant; Maharaja Sir Manindra Chandra Nandi.]

**The Hon'ble Mr. R. A. Mant** replied :—

"The Government of India (and not the Foodstuffs Commissioner as suggested) decided to treat Bengal as a surplus province in respect of rice supplies as a result of a Conference held at Delhi in October 1918, at which a representative of the Government of Bengal was present. A copy of the proceedings of that Conference is being placed on the table in response to another question put by the Hon'ble Member. The decision was arrived at as a result of the estimate of surplus stocks of rice available in Bengal which was supplied by the Bengal representative at the Conference. The views of the Hon'ble Member himself were presumably in accord with this decision when he asked the following question in this Council on 18th September, 1918 :—

(a) Is it a fact that there are large stocks of rice in Bengal which the cultivators have not been able to sell or dispose of in any way owing to the absence of adequate markets and prices, and that, in consequence, great distress has occurred among large masses of people in that Province?

(b) If so, do Government propose to take measures for finding adequate markets for this overstocked produce of Bengal?"

**The Hon'ble Maharaja Sir Manindra Chandra Nandi** asked :—

29. "(a) Will Government be pleased to state the particulars of the conferences held at Nagpur and Delhi, respectively, during the latter half of 1918, to consider the agricultural situation and the regulation of supplies of food grains?"

Conferences held at Nagpur and Delhi on the agricultural situation.

(b) Were the said conferences attended by representatives of the Local Governments? If so, what opinions were expressed by them in regard to the stock and the food situation generally of their respective provinces, and upon what materials were these opinions based?"

**The Hon'ble Mr. R. A. Mant** replied :—

"I would refer the Hon'ble Member to the proceedings of the two conferences which I lay on the table."

**The Hon'ble Maharaja Sir Manindra Chandra Nandi** asked :—

30. "Is it a fact that a census of the stocks of food-grains was taken in each province about the end of 1918? If so, will Government be pleased to state the specific results thereof in respect of each province, together with the results of any other subsequent census of a similar nature that may have been carried out?"

Census of stocks of food-grains.

**The Hon'ble Mr. R. A. Mant** replied :—

"An attempt was made to take a census of stocks of food-grains in each province about the end of 1918. As to the results of this attempt, I would refer the Hon'ble Member to the reply given to a similar question put by Rai Bahadur B. D. Shukul at the meeting of the Council on the 6th February last. For the reasons then explained no subsequent census has been taken."

\* Not included in these Proceedings.

[*Maharaja Sir Manindra Chandra Nandi*;  
*Mr. R. A. Mant.*]

[10TH SEPTEMBER, 1919.]

**The Hon'ble Maharaja Sir Manindra Chandra Nandi**  
asked :—

**Famine.**

31. " Will Government be pleased to lay on the table a statement showing province by province (a) the area in square miles in which famine has been declared to prevail, and the total population thereof, (b) the respective dates of such declarations, (c) the number of people—men, women and children—in receipt of relief, gratuities, etc., in each defined area, (d) the total grants, in the shape of loans and gratuities, respectively, sanctioned by the Provincial Governments in respect of each area up to date, and how much of the same has already been distributed ? "

**The Hon'ble Mr. R. A. Mant** replied :—

" I lay on the table\* a statement giving the information asked for, so far as it is in possession of the Government of India. The statement shows the number of persons on relief at the time when their number was at its maximum. With reference to part (d) of the question, the figures represent the grants sanctioned by the Government of India. No information is readily available regarding the distribution of these grants within the provinces."

**The Hon'ble Maharaja Sir Manindra Chandra Nandi**  
asked :—

**Money allocated for relief per person.**

32. " What is the total amount allocated for the current financial year in each province for the relief of distress, from Provincial and Imperial funds, respectively, and how much of the same has been expended up to date in each case ? "

**The Hon'ble Mr. R. A. Mant** replied :—

" I lay on the table† a statement of the allotments.

The Government of India do not possess information of the expenditure up to date."

**The Hon'ble Maharaja Sir Manindra Chandra Nandi**  
asked :—

**Stocks of food-grains.**

33. "(a) Will Government be pleased to make a statement showing the net stock of food-grains actually available for consumption, each year since 1909-1910 (i) in the whole of British India (excluding Burma) and (ii) in each of the different provinces, and how the same works out per head of the population ?

(b) How much of the same in each case represents local production, and how much net import ?

(c) How has the overseas export of rice, wheat and other food-grains from India and Burma, respectively, varied during this period ?

(d) How do the average total annual production and export of rice, wheat and other food-grains of India and Burma, respectively, during the five years preceding the war, compare with the production and export thereof during each of the subsequent years ? "

\* *Vide Appendix A.*

† *Vide Appendix B.*

[10TH SEPTEMBER, 1919.]

[*Mr. B. A. Mant; Mir Asad Ali, Khan Bahadur; Sir William Vincent; Rai Sita Nath Ray Bahadur.*]

**The Hon'ble Mr. R. A. Mant** replied :—

" I regret that I am unable to supply the information asked for in parts (a) and (b) of the Hon'ble Member's question. It is impossible to frame any reasonable estimate of the net stocks of food-grains available in any one year, either in India as a whole, or in any particular Province, firstly, because we have no reliable information as to the carry-over of stocks from one year to another; secondly, because estimates of out-turn are not available in respect of certain crops; and, thirdly, because in some Provinces the statistics of area under cultivation are incomplete or untrustworthy or both, and the standard out-turns are unreliable. We are steadily improving our statistics, but the very fact that improvement has taken place during the past ten years would vitiate the comparison which the Hon'ble Member desires to draw.

A statement\* giving the information asked for in part (c) of the question is placed on the table.

As regards part (d) the Hon'ble Member will realise from what I have already said that no reliable figures can be given to show the annual variation in output. Such details as are available will be found in the 'Estimates of Area and Yield of the Principal Crops in India' published by the Department of Statistics, of which copies are available for reference in the Imperial Library. In general terms, however, it may be said that the first four agricultural seasons of the war were on the whole above the average, while the Hon'ble Member will see from the statement placed on the table that exports of food-grains during the war were markedly less than during the preceding five years."

**The Hon'ble Mir Asad Ali, Khan Bahadur:**—

34. "My Lord, with your permission, I beg to withdraw this question† (No. 34)."

The question was by leave withdrawn.

**The Hon'ble Mir Asad Ali, Khan Bahadur,** asked :—

35. "Will Government be pleased to state the number of instances up-to-date in which Bengal Regulation III of 1818, Madras Regulation II of 1819 and the Bombay Regulation XXV of 1827 empowering deportation without trial, have been used, since the transfer in 1858 of India to the Crown?"

Appoint-  
ment of a  
Committee  
of Inquiry  
to inquire  
into the  
adminis-  
tration  
of Martial  
Law in the  
Punjab.

Deportation  
without  
trial under  
the Bengal,  
Madras  
and Bombay  
Regulations.

**The Hon'ble Sir William Vincent** replied :—

"I regret that the information asked for by the Hon'ble Member is not available."

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

36. "(a) When will the recommendations of the Calcutta University Commission be taken into consideration by Government?"

(b) Do Government propose to invite public bodies and individuals to submit their opinion on the recommendations?"

(c) Is it the intention of Government to give effect to those recommend-ations as early as possible?"

Recom-  
mendations  
of the  
Calcutta  
University  
Commission.

\* Vide Appendix C.

† Will Government be pleased to state—

(a) whether they propose to appoint a Committee of Inquiry composed of official and non-official representa-tives to investigate the administration of Martial Law in the Punjab; and

(b) if so, whether the non-official members of the Committee will be chosen from among the members of the Imperial and the Punjab Legislative Councils?"

[*Mr. Shafi; Rai Sita Nath Ray Bahadur;*  
*Sir George Burnes.*]

[10TH SEPTEMBER, 1919.]

**The Hon'ble Mr. Shafi** replied :—

"(a) The recommendations of the Calcutta University Commission are already under consideration by the Government of India.

(b) The views of the University of Calcutta have already been invited. Other public bodies and individuals will have an opportunity of expressing their views when such legislative measures as may be found necessary for carrying out the recommendations of the Commission are introduced and published.

(c) The Government of India desire, so far as possible, to give effect to the recommendations of the Commission at an early date. How far those recommendations can be accepted in their entirety is a question which is now under consideration."

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

Indian  
Industries  
Commission.

37. "Will Government be pleased to state in what way effect is being given to the recommendations of the Indian Industries Commission?"

**The Hon'ble Sir George Burnes** replied :—

"This question has been dealt with fully in the speech of His Excellency the Viceroy on the 3rd September, to which I would refer the Hon'ble Member."

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

Report of  
the Calcutta  
University  
Commission.

38. "(a) Is it a fact that before the Report of the Calcutta University Commission was made available to the public and even before a copy of it was given to the Vice-Chancellor of the University, a Madras newspaper published extracts from it?

(b) Do Government propose to inquire into the circumstances under which the Report was given to the Madras paper and by whom? Was it a 'confidential' document at the time?"

**The Hon'ble Mr. Shafi** replied :—

"(a) Yes.

(b) Government do not propose to inquire into the matter at present. The Report was at the time unpublished and hence was a confidential document."

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

Improve-  
ment of pay  
and pros-  
pects of  
non-I.M.S.  
men in the  
Sanitary  
Department.

39. "(a) Is it a fact that the pay of all I. M. S. Officers in the Military Service has been increased and that I. M. S. Officers in Civil employ specially in the Sanitary and Bacteriological Departments will shortly be entitled to improved terms of pay, but that nothing has been done to improve the pay and prospects of men in the Sanitary Department who do not belong to the I. M. S.?"

(b) Do Government propose to take up the question of improving the pay and prospects of men in the Sanitary Department who do not belong to the I. M. S.?"

[10TH SEPTEMBER, 1919.]

[*Mr. Shafi; Pandit Madan Mohan Malaviya; Sir William Vincent.*]

**The Hon'ble Mr. Shafi** replied :—

"(a) It is a fact that the pay of officers of the I.M.S. in military and civil employ has been raised. The new rates of pay for those in civil employ are shown in the statement accompanying Government of India Home Department Notification, Medical, No. 350, dated the 1st August, 1919. It is also a fact that the existing rates of pay for officers in the Sanitary Department who do not belong to the I.M.S. have undergone no recent revision.

(b) The question of the rates of pay for officers in the Sanitary Department who do not belong to the I.M.S. has for some time been under consideration by the Government of India. Local Governments have already been addressed on the subject."

**The Hon'ble Pandit Madan Mohan Malaviya** asked :—

40. "Will Government be pleased to lay on the table a statement showing—

(a) the number of persons actually arrested and detained in custody in connection with the recent disturbances in the Punjab, classified according to town or village, and showing the names, parentage, caste, profession and place of residence of the persons arrested or detained;

(b) the number of persons out of the above list who were actually put on trial—

(i) before the Commissions constituted under the Martial Law Ordinance of 1919 promulgated by the Governor General;

(ii) before the Summary Courts established under the orders of the General Officers Commanding the Lahore and Rawalpindi Divisions;

(iii) before the Area Officers constituted by or in virtue of the powers conferred by the General Officers Commanding the Lahore and Rawalpindi Divisions for offences against the Proclamation issued on the 19th April 1919. (Notification No. 10786 of Home Department, Military, dated 21st April 1919);

(iv) before the ordinary Municipal Courts in districts where Martial Law was not declared; and

(v) before the Special Tribunal constituted under the Defence of India Act;

(c) the number of persons convicted out of those mentioned above in part (b) and the offence or offences of which they were convicted and the sentences passed in each case;

(d) the number of persons discharged or acquitted out of those mentioned above in part (b);

(e) the number of persons arrested but released without trial?"

**The Hon'ble Sir William Vincent** replied :—

"(a) The information is not available.

(b) The following are the figures reported. It is possible that some small modifications may be found necessary.

(i) 852.

(ii) 1437.

Arrests and detentions in connection with the recent disturbances in the Punjab.

[*Sir William Vincent; Pandit Madan Mohan Malaviya.*]

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(iii) 564 (included in (ii)).

(iv) 18.

(a) 56.

(c)

(i) 581.

(ii) 1179.

(iii) 495 (included in (ii)).

(iv) 11.

(v) 21.

(d)

(i) 271.

(ii) 258.

(iii) 69 (included in (ii)).

(iv) 2.

(v) 35.

For details as to sentences and convictions attention is invited to the statements\* placed on the table.

(e) No information is available."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"My Lord with regard to the answer of the Hon'ble Member respecting part (a) of this question, namely, that the information is not available, am I to understand that the number of persons actually arrested and detained in custody in connection with the recent disturbances in the Punjab is not known to the Government?"

**The Hon'ble Sir William Vincent:**—"That is correct. The number of persons arrested is not known to the Government of India."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"May I request that the Government will be pleased to ask for that information and lay it on the table at the next meeting of the Council?"

**The Hon'ble Sir William Vincent:**—"I ask for notice of that question."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Then my Lord, with regard to part (e) the Hon'ble Member says that no information is available as regards the number of persons arrested but released without trial. Will the Government be pleased to ask for this information also and lay it on the table at the next meeting of the Council?"

**The Hon'ble Sir William Vincent:**—"My Lord, these are really questions more for the local Council than for us; but we have met the Hon'ble Member as far as we have information. If the Hon'ble Member so desires, I will attempt to have the information collected."

[10TH SEPTEMBER, 1919.]

[*Pandit Madan Mohan Malaviya ; Sir William Vincent.*]

**The Hon'ble Pandit Madan Mohan Malaviya asked:—**

41. "Will Government be pleased to lay on the table a statement giving the following particulars regarding all cases tried by the Summary Courts established by the General Officers Commanding the Lahore and Rawalpindi Divisions and also by the Area Officers appointed under Notification No. 10766 of the Home Department, Military, dated 21st April, 1919 :—

Cases tried by the Summary Courts established by the Lahore and Rawalpindi Divisions.

(a) the total number of cases decided by each of the said Courts and officers from day to day ;

(b) the number of cases in which summaries or memoranda of evidence and reasons for findings arrived at were recorded ;

(c) the number of cases in which only reasons for findings arrived at were recorded ;

(d) the number of cases in which no summary or memorandum of evidence, nor any reasons for the findings arrived at was recorded ; and

(e) the number of cases in which the record does not show even the offence charged ? "

**The Hon'ble Sir William Vincent replied :—**

" (a) Attention is invited to the statement placed on the table\*.

(b) (c) and (d) From the material at present available Government are not in a position to give accurate information on this point.

(e) None."

**The Hon'ble Pandit Madan Mohan Malaviya :—**" My Lord, I beg here also to ask a supplementary question, and I may with your Lordship's permission say here that the local Council is not sitting, and that is why it has become necessary for me to ask so many questions here. With regard to the answer to parts (b), (c) and (d), that from the material at present available Government are not in a position to give accurate information on this point, namely, as to the number of cases in which summaries or memoranda of evidence and reasons for findings were recorded, etc., will the Government be pleased to ask for such information and lay it on the table at the next meeting of the Council ? "

**The Hon'ble Sir William Vincent :—**" I will ask for the information, but I cannot undertake to lay it on the table at the next meeting of the Council."

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

42. "Will Government be pleased to lay on the table a statement showing—

Applications for copies of judgments.

(a) the number of applications for copies of judgments and evidence taken and other proceedings of the Summary Courts and of the Courts of the Area Officers in cases arising out of the recent disturbances in the Punjab made on behalf of the persons convicted, to the Legal Remembrancer, the District Magistrates, Martial Law Administrators and other Civil or Military Authorities ;

(b) the number of cases in which copies have been supplied ; and

\*Not included in these Proceedings.

[*Pandit Madan Mohan Malaviya; Sir  
William Vincent.*]

[10TH SEPTEMBER, 1919.]

(a) the number of cases in which such copies have been refused and the reasons for such refusal ?”

**The Hon'ble Sir William Vincent** replied :—

“ The Legal Remembrancer to the Punjab Government received some three or four applications for copies of proceedings of the Summary Courts, but as the records of these cases were not in his office, he returned them to the applicants. The information about the other authorities mentioned is not available.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ I beg to ask, my Lord, if the Legal Remembrancer informed the applicants where they could obtain copies of the judgments ? ”

**The Hon'ble Sir William Vincent** :—“ I have no information on the point. The Legal Remembrancer is an officer of the Provincial Government.”

**The Hon'ble Pandit Madan Mohan Malaviya** asked :—

Number of  
people killed  
or wounded  
at Lahore.

43. “ (a) How many people were (a) killed and (b) wounded by the firing that took place on—

(i) the Upper Mall, Lahore, on the 10th April,

(ii) outside the Lahori gate on the 10th April,

(iii) in the Hira Mandi Chauk on the 12th April ?

(b) What was the number of persons injured, if any, among the Police and the Military, specifying the nature of their injuries, in the places and on the occasions mentioned above ? ”

**The Hon'ble Sir William Vincent** replied :—

“ The figures are given below—

(i) *Upper Mall.*

(a) 1 killed.

(b) 7 wounded.

(ii) *Lahori Gate.*

(a) 3 killed.

(b) 12 wounded.

(iii) *Hira Mandi.*

(a) 2 killed.

(b) 27 wounded.

No military or police officer was killed at these places, but in every case there were assaults on Magistrates, on the Police or on the troops.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ I beg to ask if the Government will be pleased to state the details of these assaults on Magistrates, Police and the troops.”

**The Hon'ble Sir William Vincent** :—“ The details of these assaults will be placed before the Committee of Inquiry which will be appointed by the Government of India.”

[10TH SEPTEMBER, 1919.]

[Pandit Madan Mohan Malaviya; Sir William Vincent.]

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

44. "Will Government be pleased to lay on the table a statement showing the total number of persons who were (1) killed or (2) died of wounds or (3) were wounded but recovered, during the recent disturbances in the Punjab, giving the names, parentage and other particulars, and specifying the place where each person was killed or wounded?"

Number of casualties during the recent disturbances in the Punjab.

**The Hon'ble Sir William Vincent replied :—**

"The numbers killed in each district so far as has been ascertained were as follows :—

|            |     |     |     |     |
|------------|-----|-----|-----|-----|
| Lahore ... | ... | ... | ... | 14  |
| Amritsar   | ... | ... | ... | 301 |
| Gujranwala | ... | ... | ... | 17  |
| Gujrat ... | ... | ... | ... | 2   |
| Total      |     |     |     | 334 |

Further information is not available."

**The Hon'ble Pandit Madan Mohan Malaviya :—**" May I ask if the Government is aware that the popular estimate of the numbers killed at Amritsar is over a thousand?"

**The Hon'ble Sir William Vincent :—**" I am aware that exaggerated accounts of the casualties at Amritsar are prevalent. The figures which I have given are those which we have been able to ascertain from the Local Government."

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

45. "Will Government be pleased to lay on the table lists of persons who after being sentenced by Martial Law Commissioners or other Martial Law Officers in connection with the recent disturbances were—

List of persons executed, transported and sentenced in various jails.

- (a) executed,
- (b) transported; or
- (c) confined in the Lahore Central and Borstal Jails and various District Jails in the Punjab?"

**The Hon'ble Sir William Vincent replied :—**

"The figures asked for are given below :

- (a) 18 persons.
- (b) 26 "
- (c) The number of persons in the Punjab Jails are distributed as under :

|                          |     |     |     |       |
|--------------------------|-----|-----|-----|-------|
| Multan District Jail     | ... | ... | ... | 30    |
| Multan Central Jail...   | ... | ... | ... | 79    |
| Jullundur District Jail  | ... | ... | ... | 29    |
| Amritsar " "             | ... | ... | ... | 1     |
| Ludhiana " "             | ... | ... | ... | 16    |
| Lyalpur " "              | ... | ... | ... | 50    |
| Ferozepore " "           | ... | ... | ... | 41    |
| Campbellpur " "          | ... | ... | ... | 3     |
| Dhariwal Jail            | ... | ... | ... | 11    |
| Lahore Borstal Jail ...  | ... | ... | ... | 189   |
| Lahore Central Jail...   | ... | ... | ... | 503   |
| Gujranwala District Jail | ... | ... | ... | 41    |
| Sialkot " "              | ... | ... | ... | 26    |
| Montgomery " "           | ... | ... | ... | 34    |
| Rawalpindi " "           | ... | ... | ... | 142   |
| Shahpur " "              | ... | ... | ... | 4     |
| Delhi " "                | ... | ... | ... | 6     |
| Gurdaspur " "            | ... | ... | ... | 18    |
| Total                    |     |     |     | 1,229 |

[*Pandit Madan Mohan Malaviya; Sir  
William Vincent.*]

[10TH SEPTEMBER, 1919.]

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

Persons  
flogged in  
the Sher-  
wood case at  
Amritsar.

46. "Will Government be pleased to give the names, ages and other particulars of persons, if any, who were flogged on being arrested and subsequently put on their trial in what is known as the Sherwood case of Amritsar?"

**The Hon'ble Sir William Vincent replied :—**

"Six of the persons accused of the assault on Miss Sherwood were convicted of disorderly conduct while in custody and were sentenced on conviction by a summary Court to two years' imprisonment and whipping. These offences were entirely separate from the assault on Miss Sherwood. Further details are not available."

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

47. "(1) Will Government be pleased to state—

Number of  
persons sent  
to the  
Central Jail,  
Lahore, to  
be flogged.

(a) the number of persons, if any, who were sent under Martial Law to the Central Jail, Lahore, to be flogged there and were actually flogged;

(b) the authority under whose orders they were so flogged; and

(c) whether there is a record of all such cases of flogging?

(2) If there is such a record, will Government be pleased to lay it on the table?"

**The Hon'ble Sir William Vincent replied :—**

"(a) Number of persons actually flogged ... .. 58

(b) Authority under whose orders they were flogged—

By Deputy Commissioner, Lahore ... .. 7

By Officer Commanding, Lahore Civil Area ... .. 31

By first class Magistrates ... .. 12

By Martial Law Commissions ... .. 8

Total ... .. 58

(c) There is a record in the Lahore Central Jail, but it is not proposed to lay it on the table."

**The Hon'ble Pandit Madan Mohan Malaviya :—**"May I ask the reason why?"

**The Hon'ble Sir William Vincent :—**"The Government of India do not think that any useful purpose will be served by laying this information on the table."

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

48. "Will Government be pleased to lay on the table a statement showing—

Total  
number of  
floggings  
in the  
Punjab.

(a) the number of persons flogged in connection with the recent disturbances in each town or village within the Martial Law Area in the Punjab whether—

(1) under Martial Law,

(i) on conviction, or

(ii) without conviction; or

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- (2) under the ordinary criminal law during the period in which Martial Law was in force,
- giving names, parentage, age, caste, profession and residence of the persons flogged;
- (b) the offence for which each such person was convicted and the name and designation of the officer who passed the order;
- (c) the number of stripes inflicted on each such person; and
- (d) the name of the locality where the flogging was administered?"

**The Hon'ble Sir William Vincent** replied :—

“The detailed statements already placed on the table give some of the information the Hon'ble Member wants. Further information is not available.”

**RESOLUTION *re* CONGRATULATIONS TO HIS MAJESTY'S NAVAL, MILITARY AND AIR FORCES, ETC., ON CONCLUSION OF A VICTORIOUS PEACE.**

**The Hon'ble Rao Bahadur B. N. Sarma** :—“My Lord, it 11-31 A.M. is with much pleasure that I rise to move the Resolution that stands in my name. It runs as follows :—

‘This Council requests the Governor General in Council—

- (a) to convey to the King-Emperor the humble message of the people of India assuring him of their enthusiastic and loyal devotion and allegiance to His Majesty's person and throne, and tendering their warm congratulations on the conclusion of a victorious peace;
- (b) to convey to His Majesty's Naval, Military and Air forces, British and Indian, including the Royal Indian Marine the grateful appreciation and heartfelt thanks of India's citizens for their pre-eminently valuable services and heroic deeds of daring, endurance, skill and cheerful sacrifice which have enabled the British Empire and its Allies to crush Prussian militarism and autocracy and inaugurate an era of orderly progressive self-government on a truly democratic basis under the guidance and protection of a League of Nations;
- (c) to convey to His Majesty's civil services, especially to the officers and men employed in the Munitions, Railway and Post and Telegraph Departments, the sincere thanks of the country for their untiring energy and zeal and supreme devotion to duty during a prolonged and trying period of more than four years of active warfare.

“My Lord, it is an axiomatic truth acknowledged on all hands that the Indian people love and revere their Sovereign in a manner not understandable by the generality of the people of other races. It is born in their blood, it is taught by their religion, it is traditional with them; and may I add that reason has confirmed that this political instinct is not incompatible with a true democratic spirit. Recent events have fortified the conviction that a constitutional monarchy on a truly democratic basis is the only ideal form of government for the congeries of races and nations that constitute the British Empire. My Lord, while thrones have been tottering, while thrones have been shattered to pieces, the British monarchy has been more firmly entrenched in the hearts of the people. Why is it so? It is because people realise that their beloved Emperor, George V, has behaved like a true constitutional Sovereign in accordance with the *dharma* which has been preached by ancient sages as the

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*dharma* of Kings. There is no one throughout the British Empire whose heart has not gone out in sympathy to their Majesties when they were toiling and slaving for the amelioration of the condition of their subjects during these four anxious years. And what has been the result? The result is, as I have said, that the throne is more firmly established than ever in the hearts of the subjects. We in India realise its importance all the more because we believe that it is the silver link, the golden tie, that binds together the various races composing this Empire. It is the royal prerogative to which we look for safety, for protection and for guidance. George V has secured for himself a warm corner in the hearts of his people by the love for his subjects he has manifested throughout his reign, and especially during the last four years. With us Indians his name has been a household word ever since he visited India as Prince of Wales and struck the true chord when he said that the keynote of the administration in India should be sympathy with the people, and the gratitude of the people have been enhanced by his kingly conduct during his stay here, when he came in 1911. It is to such a King and to such a throne that we send our humble message of loyalty. What is the occasion on which we send this message of congratulation? It is on the conclusion of peace at the end of a cruel war, which has devastated Europe and large areas in Africa and Asia; from the results of which we are suffering to-day famine, pestilence, the dislocation of business, and all the normal activities of man. No one would have welcomed an inglorious peace, but all would have welcomed a peace on honourable terms. It is our peculiar privilege, however, to congratulate the Sovereign on the ending of the war in such a crushing victory and such a glorious peace. It is not in a spirit of braggardism or idle bravado that I refer to the nature of the victory of the Allies. We are so jubilant because we believe that this has enabled and will enable the Allies to fulfil the promises they have made during the course of the war, and to undertake the tasks they set themselves during its progress. It was not a war undertaken with a view to conquest, otherwise it would not have appealed to the imagination of mankind; it was a war that was absolutely unforeseen and unprepared for; it was a war undertaken at grave risk to the solidity of the Empire, with a view to upholding the sanctities of treaties and the sacredness of the plighted word. It was carried on during four years with lofty ideals placed before the people. It was a war the object of which was to enable nations and peoples, whether great or small, to develop along their own lines, to evolve their own forms of Government, Government elected and chosen by themselves; to progress according to the genius of their particular race to what they belonged; to uphold the majesty and supremacy of the moral law and the triumph of right over might. It was stated to be distinctly for the purpose of enabling humanity to evolve further progress on new lines and to make the world safe for a peaceful democracy. That is why we value the objects and ideals of the war, and that is why we welcome this glorious peace.

"It may be, my Lord, that occasional disappointments may overtake us, have overtaken us. The Prussian militarism born of autocracy, born of racial arrogance and pride is a disease that is not peculiar to Prussia. It is for the eradication of that evil that this war has been fought; the last flickering fires are ablaze, but they are only indicative of the dying struggles of the old spirit for the eradication of which this war has been fought, and the Indian people hope and trust that this spirit is dying if not dead, amongst all the progressive peoples of the world. The crushing defeat of the Central Powers by the Allies has enabled them to reconstitute the map of the world, thereby redeeming their promise to enable distinct peoples to evolve their progress according to their own peculiar genius, to lay the foundations for the harmonious working of a League of Nations, to preserve and guard the peace of the world while reducing

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armaments. Much may not rest upon the present formation of the League of Nations, and it may be childish and foolish to expect much from the formation of such a League in its early stages, but the foundations have been laid surely, securely and soundly, and we in India can never be too grateful to His Majesty's Government and to the Indian Government for securing to the people of India a recognition of their status as a member of the League, a recognition for the United States of India, forming the Indian Empire, of their distinct status as a component, integral part, of the British Empire. In this connection it would be only right to thank Lord Sinha and His Highness the Maharaja of Bikaner for their eminent services in helping to secure for us these privileges. We value this recognition all the more highly, because it is indicative of a hopeful promise for the future; because it is a partial fulfilment of the promise which was made to us nearly two years ago that we should be placed on the high road to self-government as an integral, distinct unit of the British Empire. The people of India are grateful for the latest message on behalf of the people of England of the Prime Minister, Mr. Lloyd George, with his rare imaginative insight into and deep understanding of human nature, has stated in the House of Commons when moving a vote of thanks: 'India by her remarkable contribution to our triumph, notably in the East, has won a new claim to our consideration, a claim so irresistible that it ought to overpower all prejudice and timidity which may stand in the way of her progress.' Is it, then, any wonder, my Lord, that in the midst of famine, scarcity and pestilence, in the midst of privation and suffering and disappointments, tossed about in a troubled and distressed world, the people of India with alacrity and eager spontaneity rush forward to lay their humble message at the foot of the throne. To me it is nothing surprising, and I beg that your Excellency's Government may be pleased to convey to His Majesty this message. I now come to the very agreeable task of asking the Council to record a vote of thanks to the various fighting services. We express here our heartfelt gratitude and we lay our tribute of praise and admiration for the gallant heroes, living and dead, who fought for us on sea and land, under the sea and in the bowels of the earth, and in mid air to reconstitute on earth a new heaven and a new life. History can furnish mankind no finer or nobler example than that of a peaceful people unprepared for war, undertaking imminent risk for the upholding of a noble ideal. There can be no more truly magnificent spectacle than millions of young men, middle aged men and boys, rushing to the colours, certain of the imminent risk of death, to uphold the cause of the Empire. From day to day as we looked at the pictures and the photos of the valiant heroes, many of them boys in their teens, beardless, moustacheless, who rushed to the battlefields and laid their lives so nobly fighting their country's cause, there was none whose heart did not ache and send forth a message of sympathy for the bereaved homes throughout the Empire and especially in the United Kingdom.

“That was a magnificent spectacle, and nothing struck the Indians so much, at any rate struck me so prominently as the fact that in the vast majority of these cases the sacrifice was spontaneous. I do not attach so much importance to what has been done since the Conscriptioins Acts have been introduced, though much may be justly said in praise of the steadfastness and heroic endurance of the peoples; but this spectacle of millions rushing to the standard voluntarily when they were absolutely untrained and unused to think of war is a spectacle which inspires one with awe, respect and admiration. That contemptible little army has cost the Kaiser his throne and his subjects, nurtured on false ideals, who flattered their soldiers in the perpetration of diabolical deeds of savage warfare, much suffering, privation, disgrace, defeat and humiliation. My Lord, the story is a tale often told, and it is unnecessary to expatiate at greater length on that subject here. The deeds of the Navy

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we can never forget because they have saved the Empire, the commerce of the Empire, and the commerce of India and have protected our ports. Cruel must have been the strain on the nerves of the men of this brave Navy who had to guard the seas in all weathers, inclement or otherwise, through four weary years, and the tribute of our hearts must also go forth to the mercantile marine and Royal Indian Marine who have guarded our shores and carried on our commerce, and who escaping from perils rushed back again into them to save their country from defeat. And may I be allowed, my Lord, to pay here a tribute to those Indian sailors who have brought credit to their country by undergoing cheerfully all sacrifices along with their brethren, the British seamen, during this long struggle. It gives us hope, it inspires us with trust for the future of our country. The magnificent air forces which were developed with such remarkable rapidity owing to the innate bravery and daring of the British race, have won imperishable fame in winning this war, and the story of their exploits is a fairy tale of romance.

"Now, my Lord, let me say a few words paying our tribute to the gallant warriors from the Dominions, from the Indian States and from other countries forming part of the British Empire, for I use the words His Majesty's forces in a wide and comprehensive sense, for all the countries holding allegiance to the King-Emperor have their forces at His Majesty's command and are His Majesty's forces. And to the various officers and men from the Native States our gratitude is especially due. British statesmen have acknowledged times without number the gallant services to the Empire rendered by the forces from India. We in India can never forget the foresight and wisdom of the Government of India under Lord Hardinge in despatching troops from India to assist the Empire in her time of peril and danger. To those troops we owe much. To them chiefly we owe whatever may be the recognition of India's services to the Empire throughout this conflict. That gallant little army has nearly disappeared, but it has fought for us in the distant fields of France, Gallipoli, East Africa, Egypt, and China and Mesopotamia and our hearts go out to the silent homes, chiefly in the Punjab and in Maharashtra and Rajputana which appeal to us, and ought to appeal to us, with an irresistible force, for those heroes therefore have illustrated to the world that the warlike spirit is not dead in India. They have demonstrated to the world that, whatever may be the temptations, the Indian is true to his plighted word, will never swerve from true allegiance to the throne and will not forsake the Government in time of peril and danger.

"I may just read a few lines from what Mr. Chamberlain said by way of acknowledging the deeds of these gallant heroes for it would be ungrateful to them to leave these deeds unacknowledged :—

'India's troops have fought, I think, in almost every theatre of war; in France, in Egypt, at Aden, on the Suez Canal, in Gallipoli, in East Africa, in West Africa. In the winter of 1914 in France they were nearly one-third of the forces there. They were the first of the over-sea troops. The Indian Army provided the first defence in British East Africa and repelled the first Turkish attack on the Suez Canal.' It was to their efforts mainly, the Minister added, that we owe the conquest of Mesopotamia. It is difficult when one reviews the deeds of the Indian Forces in this war to select for illustration any particular instance, but the House will not forget, and the country will not forget such episodes as in France, the recapture of Neuve Chapelle in October 1914 by the 47th Sikhs, and the 20th and 21st Companies of Sappers and Miners. The 47th Sikhs lost 178 out of 289 men; the Sappers and Miners lost 119 out of 300.' And then he refers to the doings of the Gharwal brigade on the 10th of March in Neuve Chapelle,

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and the conduct of the 14th Sikhs at Cape Hellas, Gallipoli, where the Indian Army lost nearly all their British and Indian officers and 430 men out of 550 engaged, and here may we acknowledge the services of His Excellency the Commander-in-Chief Sir Charles Munro—'Where every Sikh had fallen facing his enemy and where most had one or more of the enemy under them. These were the doings of men who had been trained while the Indians fought valiantly and never showed their back to the enemy. Their stoic, philosophic indifference, their contempt and disdain for death must have left an imperishable impression on the hearts and minds of all, and when such brave men are the heritage and priceless possessions of India, and when there is a new impulse which was nearly absent in the past, the new impulse born of our love of freedom, of a love for our mother land, the deeds of the Indian soldiery cannot and will not be excelled.

"My Lord, may I say a word in this connection with regard to the Indian Medical Service. The organisation and equipment of this Department have come under rigorous scrutiny in more than one place, and this is hardly the time to go into that question, but no one has ventured to deny and every one has acknowledged with gratitude the eminent services rendered to the Army by the officers and men of the Indian Medical Service, as well as all branches of the Medical Service in every theatre of war where they have cheerfully and voluntarily gone to aid the sick and wounded in their sufferings. British and Indian blood has flowed freely in distant fields, in foreign lands. There was no jealousy, no envy, no sense of inequality. All were content to fight for a common cause, for a common flag. I think it will be the sincere hope of this Council that historians, British and Indian, will arise in India to depict the story of these heroes of Hindusthan in vivid, graphic colours, so as not only to do justice to their memory, but so that they may be an inspiring example for the future, and we hope that Indians will vie with one another and will co-operate with the Government in rendering the desolate homes which they have left behind them a little more cheerful than they would be otherwise. Let us all pray for the souls of the departed heroes and express our sympathy with their bereaved families and help in succouring the wounded and the disabled.

"My Lord, I now come to the last part of my Resolution where I ask the Council to express our gratitude to the civil services who have toiled hard during these four years of warfare to achieve for India her destiny. It would be invidious to draw a distinction between one service and another. The history will be told, I daresay, in the near future, when the services of all ranks will be acknowledged suitably by a grateful India, but would it be invidious to signal out the Munitions, Railway and Posts and Telegraphs Departments which, admittedly, have had to work at very high pressure with the depletion of their officers and their staffs and with new work thrown on them. I think it is but our duty to express our thanks to them. May I say a word in regard to the Finance Department than which, I think, no Department could have spent a more sleepless time during these four years. It is true we occasionally gave them some little trouble, but it was not without appreciating their hard work. We might have been mistaken in our appreciation of the merits of their work, but this is due to them that they have managed to bring India as safe as was compatible with her rightful position in the Empire and was possible under the circumstances.

"This performance of their duty which is in accordance with their *dharma* in sending their humble message of fealty and congratulations to His Majesty, in remembering their departed heroes, the departed heroes of the Empire, with gratitude, love and affection, and praying for their souls, in thus expressing the homage of their hearts and in paying a tribute of

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praise and admiration to those who have fought for them and for the Empire and expressing their thanks to the numerous workers, selfless men and devoted women, official and non-official, who have toiled hard for the Empire during four weary years, inspire the people of India with a new hope, a new courage, a new gladdening of their hearts, and a buoyant optimism born of hope, trust and courage. Rivers of blood, British and Indian, flowed together in sacred union in distant climes and in foreign lands to achieve a noble cause, a common purpose, the upholding of the prestige of the flag. The bones and ashes of our departed heroes, the flower of British and Indian manhood, fertilise foreign lands. There was no jealousy, no envy, no inequality in their common repose. Shall they appeal to us in vain for union, concord and harmony? United we stand and divided we fall. The Indian people devoutly hope and trust that they will be permitted under a common flag to achieve their destiny according to the genius of their race, unhindered, unhampered and loyally assisted by their British comrades nurtured in freedom. Thus, unhindered and unhampered in the pursuit of peaceful occupations, with equal opportunities, a healthy emulation and a fair field, and with mutual good-will, trust, confidence and co-operation, it is our earnest hope that our common heritage, the Empire, will achieve a higher and loftier destiny and purpose, the emancipation of the human race."

12-16 P.M.

**The Hon'ble Major Sir Umar Hayat Khan** :—"The Council will be glad to hear that I have given in my speech to be taken as read, so as not to waste its time, because if the story, which has only been heard, has taken such a long time, I who have seen all that occurred, could go on till to-morrow morning."

**The President** :—"The Hon'ble Member's request is granted."

**The Hon'ble Major Sir Umar Hayat Khan** :—"My Lord, as after the conclusion of victorious peace this is the first time that this Council has met, such a loyal Resolution moved by our Hon'ble Friend is the most appropriate, and while endorsing all that he has said, I give him my cordial support."

"Having served throughout the war from the very beginning to the end in one or the other capacity, I saw how inferior we were to the enemy in the beginning. Their preparations clearly showed that they had been planning this from generations. All our branches had to make gigantic efforts not only to make up the deficiency, but to come up to a far higher pitch so as to defeat the enemy."

"Those who have seen the strides made by the Government can realise its grandeur and feel proud to be under its protection. Though every one did his duty to the best of his ability, but none had done harder work than His Majesty's person, the Queen Empress and His Royal Highness the Prince of Wales."

"We are proud that Indian soldiers were given the opportunity to fight side by side with the British, and I, as a witness, can bear testimony that they acquitted themselves worthily of it."

"India in turn ought to be proud of the Punjab which furnished most of her army, especially the units which went to fight across the seas in which the Punjabi Muhammadans took the leading part. The first Indian recipient of the Victoria Cross was a member of this community, and I need hardly go into the details of the work done by the Rawalpindi Division mostly comprising of the Punjabi Muhammadans whom your Excellency recently honoured with a visit and called it the 'Sword Arm.'"

"With these few remarks I support the Resolution."

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Asad Ali, Khan Bahadur ; Rai Sahib  
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**The Hon'ble Maharaja Sir Manindra Chandra Nandi :—** 12-17 P.M.

" My Lord, I deem it my duty to associate myself with this Resolution on behalf of my fellow countrymen of Bengal. With the conclusion of an honourable peace, our mind first of all turns to the throne and person of His Majesty who has been the symbol of the unity of the Empire during the fearful struggle from which the world has just emerged. In this hour of rejoicing, we are also naturally reminded of those heroic souls to whom humanity now owes rest and calm. But much as we are beholden to those that have won for the Empire the crown of victory, we are bound in an endless debt of gratitude to the immortals who did not live to see the fruition of their noble endeavours. We have, again, to pay a special homage to the memory of those brave sons of India who have cheerfully laid down their lives in strange lands and among strange people, in order that we who have been left behind may live in a freer atmosphere and in a new era of progress which is about to dawn on this land."

**The Hon'ble Rai Sita Nath Ray Bahadur :—** 12-18 P.M.  
" My Lord, on behalf of my community I enthusiastically and cheerfully join with my Hon'ble friend in his message of deep devotion, loyalty and attachment of the people of India to the person and throne of His Imperial Majesty the King-Emperor."

" The war and the little part that our countrymen had the proud privilege of taking in bringing it to a victorious close for the Allied arms have more solidly consolidated the bond that binds India to Great Britain, and have also more solidly welded the bond of brotherhood between the different nations that owe allegiance to the great Sovereign under whose protection we live. And, in conclusion, we beg to tender our warm congratulations to His Imperial Majesty on the conclusion of a victorious peace which has added greater lustre to British arms."

**The Hon'ble Mir Asad Ali, Khan Bahadur :—** 12-20 P.M.  
" My Lord, I beg heartily to support the Resolution on behalf of the Moslem community of Madras."

**The Hon'ble Rai Sahib Seth Nathmal :—** 12-21 P.M.  
" My Lord, the Resolution as moved by the Hon'ble Rao Bahadur B. N. Sarma has full sympathy from me, and on behalf of the landholding classes of the Central Provinces I offer my hearty congratulations to His Majesty the King-Emperor on the conclusion of a victorious peace, assuring His Majesty at the same time on behalf of the people of our Province of their whole-hearted, enthusiastic and loyal devotion and allegiance to His Majesty's person and throne."

" My Lord, we were all engaged for more than four years in the momentous struggle which began in August 1914, and we Indians never realised before what war meant in relation to public and individual lives. There hardly remained a subject which was not affected by the war. Our Sovereign was, as a matter of fact, forced to enter into it by obligations of honour and duty to preserve the neutrality guaranteed by treaty and the liberties of a friendly State and His Majesty had a spontaneous response from all classes and creeds all over the Empire. We all admire the military skill and determination which marked the leadership of our armies in the front, and we cannot forget the gallantry and endurance of the troops throughout the operations which have taken place under the most trying circumstances, and I think we are not going beyond the

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mark when we say that we ought to pay a tribute to the labours by which His Majesty's Naval, Military and Air forces have accomplished this and enabled the British Empire and its Allies to achieve the success over which we are rejoicing to-day.

"My Lord, we will be failing in our duty if we did not pay our tribute to the services rendered by the officers and men employed in the Munitions, Railway, Post and Telegraph Departments and the manner in which His Majesty's Civil Services had surmounted the difficulties with which they were faced during these past years of war. I should like to take this opportunity of associating myself with the Hon'ble Mover of the Resolution to the full with that tribute."

12-23 P.M.

**The Hon'ble Mr. N. F. Paton:**—"Mr. President, I would ask your permission to request the mover to accept a slight amendment to his Resolution. In part (b) of the Resolution I would suggest the inclusion of the words 'and the members of the Mercantile Marine, British and Indian.' I do not think the suggestion requires any words of mine to commend it to the Council. I think it is recognised on all sides that the results which we have attained would never have been achieved without the magnificent devotion to duty of the members of the Mercantile Marine."

12-24 P.M.

**The Hon'ble Rao Bahadur B. N. Sarma:**—"I certainly accept the suggestion if the Council will permit me to do so."

12-25 P.M.

**The Hon'ble Nawab Saiyed Nawab Ali Chaudhri:**—"On behalf of the Muhammadans of Bengal I beg to support the Resolution."

**The Hon'ble Raja Sir Rampal Singh:**—"My Lord, I beg leave to extend my most cordial support to the Resolution moved by the Hon'ble Mr. Sarma. It is truth—nothing but pure and simple truth—to say that the Resolution voices the innermost feelings of the people of India. The unflinching loyal devotion and sincere affection that we Indians bear towards His Majesty's person and throne were never more strikingly evinced in practical manner than at the time when the gigantic war was at its height, and when the fate of the world was trembling in the balance. Terrible was the tension and the nerves of the great nations were put to the severest test on the issue involved in it. But India never faltered an inch from the strong hope which amounted almost to a religious conviction that the cause of righteousness and liberty will triumph over Prussian militarism and autocracy. India's firm faith in this respect was pinned in an unwavering manner on the teaching of Lord Krishna to his worthy disciple Arjun on the battlefield of Kurukshetra when the Indian Mahabharat was fought. It was यतो धर्मस्ततो जय : i.e., righteousness and victory go together. But though we had this faith in the final victory of the Allies and though our very vital self-interest lay in the triumph of the British arms because on it hinged in unmistakable manner the question of life and death of the Indian progress and advancement yet, my Lord, our deep devotion and allegiance to His Majesty's person and throne were no small asset and potent stimulant in making India respond wholeheartedly to the clarion call of duty—Princes and Peasants, Zamindars and traders, educated and uneducated, all vied with one another in doing their best according to their means and abilities to most sincerely uphold the cause of the Empire. India can legitimately take pride in having had an honourable share in bringing about the dramatic fall of Germany and her Allies. Now we with one accord tender our humble but hearty congratulations to His Majesty the King-Emperor.

"It is also our bounden duty to convey through your Excellency in Council India's grateful acknowledgment of the immense sacrifices which the

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war entailed upon the Military and Civil Services of the Empire, and which they most willingly and delightfully suffered. We offer our sincere thanks to them for the dauntless courage and tenacious perseverance which they brought to bear in a spirit unequalled in the annals of history in vanquishing the formidable foe. It is impossible to exaggerate the services rendered by them, and India has special reasons to be deeply grateful to them because it was due to those services that she escaped 'unscathed' as your Excellency was pleased to observe the other day from the desolation which the unscrupulous enemy might have caused to her particularly when her people were not prepared to defend themselves from such a foe."

**The Hon'ble Mr. Kamini Kumar Chanda** :—" My Lord, 11-26 P.M.  
speaking for the people of Assam I desire to associate myself entirely with this Resolution. The Resolution, my Lord, does not, I think, require any speech; it speaks for itself and I support it."

**The Hon'ble Chaudhuri Muhammad Ismail Khan** :—" On 12-29 P.M.  
behalf of the Muhammadan community of Bihar and Orissa I beg to support this Resolution."

**The Hon'ble Pandit Madan Mohan Malaviya** :—" My Lord, 12-30 P.M.  
I join with my friends in offering our dutiful and loyal congratulations to His Majesty the King-Emperor on the happy termination of the war. My Lord, it is a matter of sincere satisfaction and of supreme thankfulness that His Majesty's forces and those of his Allies have triumphed. In this connection I may say that the sentiments which have been expressed by the Mover of the Resolution regarding the Royal House in England are generally shared by Indians. These sentiments are very much the same as have been expressed so beautifully in that booklet by Lord Esher called 'After the war', and I hope that the people of England will always have the great advantage and the honour of having a King at the helm of affairs in the United Kingdom. My Lord, to the people of India kingship appeals in a peculiar manner, and I hope that the advantages which are associated with it will be shared always both by the United Kingdom and by such States as exist in this country, and have the advantage of being ruled by Kings. I also join my friend in offering our thanks to the soldiers and sailors and others who have worked in His Majesty's forces for the great sacrifices which they have made in the cause of the Empire. My Lord, above all we have to offer our humble thanks to God for the victory which has been vouchsafed to His Majesty the King-Emperor. While we are offering congratulations to our King-Emperor, while we remember with gratitude the services which have been rendered by soldiers and sailors and statesmen, let us also remember that it was the grace of God that really helped England to win the war. Let not the lessons of humility and righteousness which were preached during the dark days of the war be forgotten. The war has left many lessons for us. It was professedly waged for righteousness and liberty. Let us not give up our adhesion to righteousness and liberty, now that the efforts of the armies of the King-Emperor and of his Allies have triumphed. Let us remember that pride brought about the fall of Germany, and let us discard all racial pride and all racial jealousy and usher in a new era of really brotherly unity and fellow-feeling among Britons and Indians.

" My Lord, the war has unfortunately already produced in some quarters very undesirable results. It has led some people to think that blood and iron can achieve everything. On such an occasion when we are offering our congratulations to the King, and when we are offering our thanks to God that the war has ended as it has, it would be well to remember what Lord Beaconsfield said after the Treaty of Berlin: 'It is not on fleets and armies', said he, 'that I alone or mainly depend in that enterprise on which this country is about to enter. It is on what I most highly value—the consciousness that in the

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[*Pandit Madan Mohan Malaviya ; Sir Dinshaw Wacha ; Raja of Kanika ; Mr. Sachchidananda Sinha ; Sir Zulfikar Ali Khan.*]

[10TH SEPTEMBER, 1919.]

Eastern nations there is confidence in this country, and that, while they know we can enforce our policy, at the same time they know that our Empire is an Empire of liberty, truth and justice.' This confidence has been somewhat rudely shaken by recent events, and it is the duty of everyone of us, loyal subjects of His Majesty, Indian or European, so to labour that this confidence shall be restored and deepened, and that a new era of greater fellow-feeling between Indians and Europeans may be ushered into existence. My Lord, if I may do so with apologies to Wordsworth, I would say :

' One lesson Britain let us two divide,  
From what this greatest war reveals,  
Ne'er to let racial selfishness or pride  
Attack a fellowman for he too feels.'

"The Germans have fallen because in their racial pride and selfishness they wanted to dominate the world. Let us so work that this victory may really prove to be a victory of righteousness, and that it should leave us Indians as free to live and grow as are our fellow-subjects in the United Kingdom, to whom also we offer our heartiest congratulations on the triumph which has been vouchsafed to us."

11-33 P.M.

**The Hon'ble Sir Dinshaw Wacha** :—"I heartily support the Resolution moved by my Hon'ble friend, Mr. Sarma, in such appreciative terms. To my mind what recalls itself at this moment are the words of Pericles delivered in his great oration on those brave Athenians who had fallen during the first Peloponnesian war. He said : 'Make these men your example. It is by the stoutness of heart that Freedom comes.' With the English people it is the case that once Freedom's battle is begun, it goes on from sire to son till it is won. It is this stoutness of heart which Indians have to cultivate in Freedom's cause. This war I consider to have been the most colossal epic in the history of the evolution of the world. I daresay a future Gibbon will narrate it in his own stately and eloquent language ; and that in times to come a new Homer will sing in verse his Iliad in sublimer and more stirring strains than his own.

"My Indian friends often forget what the sea power of England has done for the world and particularly for India. The prosperity which India has achieved in the past four years and maintained is owing to that power. The crores of rupees which she has received for her trade balance would never have been secured but for the sea power of England which unweariedly guarded and dominated the Atlantic Ocean, the Pacific, the Mediterranean Sea and the Indian Ocean. Sea power is certainly the greatest source of England's strength, and we have seen what it has been in this war. In this connection I heartily endorse every word my friend, the Governor of Bombay, said the other day in a speech on the subject at the University Convocation. It is the same sea power of England which had saved India. I hope my Indian friends will never forget that it is this which has given them prosperity, as well as security of life and property.

"With these few words I beg to support the Resolution."

11-35 P.M.

**The Hon'ble Raja of Kanika** :—"My Lord, I desire to associate myself with the sentiments expressed by the mover of the Resolution. On behalf of the landholders of Bihar and Orissa I heartily support this Resolution."

11-36 P.M.

**The Hon'ble Mr. Sachchidananda Sinha** :—"My Lord, on behalf of the people of Bihar and Orissa whom I represent in this Council, I desire to associate myself with the Resolution and the observations made by the Hon'ble Mr. Sarma."

11-37 P.M.

**The Hon'ble Sir Zulfikar Ali Khan** :—"My Lord, I desire to associate myself with the sentiments so well expressed by the Hon'ble the

RESOLUTION *re* CONGRATULATIONS TO HIS MAJESTY'S 69  
NAVAL, MILITARY AND AIR FORCES, ETC., ON CONCLU-  
SION OF A VICTORIOUS PEACE.

[10TH SEPTEMBER, 1919.]

[*Sir Zulfiqar Ali Khan ; Mr. K. V. Rangaswamy Ayyangar ; His Excellency the Commander-in-Chief ; Sir Arthur Anderson.*]

Moyer. I hope and trust that they will meet with the approval of this Council."

**The Hon'ble Mr. K. V. Rangaswamy Ayyangar:**—"My Lord, in supporting the Resolution I have to note that this Council would be failing in its duty if in this Resolution our thanks are not conveyed to the labour corps, to the medical services, to the nurses and also to the ladies who have been able to send so many comforts to the troops, of which work as the President, Her Excellency Lady Ohelmsford, was able to do not a little." 12-38 P.M.

**His Excellency the Commander-in-Chief:**—"My Lord, I conceive that no member of this Council has ever been called upon to respond to, and express his thanks for, such a comprehensive Resolution as has been so eloquently moved by my friend Mr. Sarma; and standing here, I am conscious of my inability to give adequate expression to my appreciation of the generous terms in which this Resolution has been worded. I cannot help wondering as to which of the many attributes which have been ascribed to myself personally will continue to be so ascribed after you have heard the very few words which I am going to address to you. Mr. Sarma expresses attributes of 'daring, endurance, skill and cheerful sacrifice' in reference to the soldiers and other services. In standing here I do not feel that I have ever rendered cheerful sacrifices. I am confident there has been no skill and I also feel that there has been no endurance. Therefore, unless we can get a further expression from the Hon'ble Mr. Sarma, I can only blushing accept the expression 'daring.' 12-39 P.M.

"It will be realised, I am certain, by my Hon'ble friend, that to respond for the naval, military and air forces, and last but not least the Munitions Board, as represented by Sir Thomas Holland, is a task of the greatest difficulty; hence, in the interests of brevity, I can only express our very warm thanks for the generous terms in which you have referred to the services which these forces have rendered. My Lord, speaking on behalf of the military branches, I can assure this Council that we shall regard the commendations which we have received as the highest reward that can be accorded to public servants. It ought to be, and I think it is the case, that the greatest pleasure that any public servant can receive is to know that such services as he has rendered, and such acts as he has done, have met with the approbation and commendation of those whom he has served. Such services as those to which you have kindly referred will, when the terms of this Resolution are made known, tend to spur us on in our respective services, to even greater efforts than we have made before, so that, if it should be found necessary, which God forbid, at any future time to call upon us to respond to the directions of the King-Emperor in the defence of the Empire, we shall be found, in every Branch, whether it is the Army, the Navy, the Air Forces or the Munitions Board, more prompt, more efficient and more ready to do our duty than we were before, in whatever sphere our country may call upon us to serve."

**The Hon'ble Sir Arthur Anderson:**—"My Lord, I am glad to welcome on behalf of Government the Resolution which has been moved by the Hon'ble Member in so far as it affects Railways. They are a silent service whose virtues are not published abroad, but whose shortcomings are widely advertised, and a spontaneous appreciation by this Council of their services will be valued by all classes of employes. 12-40 P.M.

"Looking back on the last few years with railways short-handed, material for repairs at a minimum, renewals and replacements interrupted, shipping gone and its traffic diverted to railways, with concentration on the Frontier and a constant heavy traffic for the maintenance of overseas forces, all carried out

70 RESOLUTION *re* CONGRATULATIONS TO HIS MAJESTY'S  
NAVAL, MILITARY AND AIR FORCES, ETC., ON CONCLU-  
SION OF A VICTORIOUS PEACE.

[*Sir Arthur Anderson; Mr. G. R. Clarke;*  
*Rao Bahadur B. N. Sarma.*]

[10TH SEPTEMBER, 1919.]

with smoothness, the fact emerges that it is due to the loyalty and devotion of our Railway staff that we have pulled through the difficult period. Their contribution to India's share in the war has been no mean one, and I can answer for them that they will warmly appreciate the recognition of their services which the Resolution gives expression to.

"The higher administrations of railways have co-operated with us most willingly in all measures which were designed for the general good. State-worked and Company-worked lines have been equally ready to meet us in our various measures of control, and it thus gives me a special pleasure to welcome and associate myself with this Resolution."

12-43 P.M.

**The Hon'ble Mr. G. R. Clarke:**—"My Lord, on behalf of the staff of the Posts and Telegraphs, I rise to thank the Hon'ble Member for the terms of his Resolution. I am sure that every member of the staff will feel highly gratified that the work that has been done by them during the war is appreciated by this Council. Wherever the Indian Army has gone, the field post offices have accompanied it, to France, East Africa, Egypt, Palestine, Syria, Mesopotamia and Persia, and even now we have field post offices on the Black Sea and the Caspian Sea. The work done by the post offices in the field has received the highest commendation of the military authorities. Our telegraph staff has been sent to East Africa and to Mesopotamia, where during the war we sent no less than 8,000 men. The work done there was tremendous. In Mesopotamia about 11,000 miles of telegraph wire and 4,000 miles of telephone wire were erected, and traffic amounting at one time to 183,000 messages a month was handled. I am glad to say, My Lord, that the work done by the Department has been recognised. Over 350 of our men have been mentioned in Despatches, over 82 personal distinctions have been conferred upon officers and men for military service or for work connected with the war.

"There is just one word, my Lord, about the depleted staff that has been left behind. Our best men, our keenest men, and many of our most energetic men had to be taken to the field, and the work had to be carried on with those that remained. To show how that work has developed during the war, I shall give you a few figures and examples. During the war the telegraph traffic increased from 16 million to 21 million messages in a year, and the number of postal articles increased from 1,000 to 12,000 millions. I know there have been complaints of delays, and there have been delays, but I doubt if in any country in the world which was at all connected with the military operations the war has caused so little postal and telegraph dislocation and so little inconvenience to the public as in India.

"My Lord, it is a great pleasure to me that the Department which I control should get some commendation for the work it has done, and I can assure the Hon'ble Mr. Sarma that every member of the Posts and Telegraphs will feel the greatest pride and satisfaction for having been singled out for special mention in this Resolution."

12-46 P.M.

**The Hon'ble Rao Bahadur B. N. Sarma:**—"I wish to say a few words, my Lord. I am thankful to the Hon'ble Members for according me the support they have given me, and I entirely associate myself with the Hon'ble Mr. Rangaswamy Ayyangar in his tribute of praise to the ladies, British and Indian, who laboured so hard throughout the war, and also to Her Excellency Lady Chelmsford who as President did so much to help and succour the troops at the front. May I say a word, my Lord. The chief burden has fallen on your Excellency's shoulders and the members of your Government. Three years have been spent in sleepless nights by your Lordship and hardworking days in the midst of this war, and under your Excellency's guidance we have emerged successfully out of it."

The motion was put and agreed to.

RESOLUTION *re* APPOINTMENT OF COMMISSION TO INQUIRE 71  
INTO RECENT DISTURBANCES IN THE PUNJAB.

[10TH SEPTEMBER, 1919.]

[*Pandit Madan Mohan Malaviya; Sir  
George Lowndes; The President;  
Sir William Vincent.*]

RESOLUTION *re* APPOINTMENT OF COMMISSION TO  
INQUIRE INTO RECENT DISTURBANCES IN THE  
PUNJAB.

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ My Lord, before the announcement was made by your Excellency on the 3rd instant that a Committee of Inquiry was going to be appointed, I had given notice of the Resolution which stands in my name on the agenda of to-day. In view of that announcement, it has become necessary 12-45 P.M.

**The Hon'ble Sir George Lowndes** :—“ My Lord, I rise to a point of order. The rules require that any Member moving a Resolution should move the Resolution first and not make his speech first.”

**The President** :—“ That is so.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ I will follow the technical rule, my Lord, but I thought there was reason in the circumstances of the case to justify a deviation. I will read the Resolution. My Lord, the Resolution of which I have given notice and which stands on the paper runs as follows

**The Hon'ble Sir William Vincent** :—“ The Hon'ble Member must move his Resolution first.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ I understand the meaning of the word ‘move’ and the duty that rests upon me in moving the Resolution. I am not bound to use the word ‘move’ in moving the Resolution, and if Hon'ble Members will have a little patience, I shall show them that I am moving the Resolution. May I proceed now, my Lord?”

**The President** :—“ Yes.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ Thank you, my Lord.”

“ My Lord, the Resolution of which I have given notice and which stands on the agenda runs as follows :—

‘ This Council recommends to the Governor General in Council that he should request His Majesty's Government to appoint without further delay a Commission consisting of gentlemen unconnected with the Indian administration to inquire into (a) the causes of the recent disturbances in the Punjab, and (b) the propriety of the measures adopted in dealing with them, and to vest the said Commission with legal authority to annul or modify sentences passed by the Martial Law Commissions, or by Magistrates specially empowered to deal summarily with cases alleged to have been connected with the said disturbances.’

“ My Lord, before placing my reasons for this Resolution before the Council, I should like to refer to the circumstances, to the events, which have happened since notice was given of this Resolution. Those events are very well known to the Council, and they are that on the 3rd of this month your Excellency was pleased to announce that the Government had decided to appoint a Committee of Inquiry to investigate the recent occurrences in the Punjab. It becomes necessary for me therefore, before formally moving the Resolution . . .

**The President** :—“ The Hon'ble Member must understand that he is moving the Resolution. Though he has not used the word ‘move’, I can only take it that he has moved it.”

**The Hon'ble Pandit Madan Mohan Malaviya** :—“ Certainly, I used the words ‘before formally moving it.’ This may come at the end of the speech instead of coming at the beginning.”

**The President** :—“ All right; the Hon'ble Member must understand that he has moved the Resolution.”

72 RESOLUTION *re* APPOINTMENT OF COMMISSION TO INQUIRE INTO RECENT DISTURBANCES IN THE PUNJAB.

[*Pandit Madan Mohan Malaviya; Sir William Vincent; The President.*]

[10TH SEPTEMBER, 1919.]

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Yes, my Lord. Your Excellency was pleased to announce on Saturday—my Lord, if I may say one thing with great respect, it is that the rules of Council are meant to enable us to proceed in a reasonable manner, and where reason demands that a change should be made, I think I am entitled to place the matter before your Excellency as President of this Council, to consider and rule upon. Now, my Lord, the Resolution of which I gave notice has become dead, dead as Queen Anne, by reason of the fact that on the 8th instant, your Excellency was pleased to announce that the Government had decided to appoint a Committee of Inquiry to investigate the Punjab affairs. I beg, therefore, in view of that fact, to ask for your Excellency's leave to amend the Resolution in the form of which I have given notice to the Legislative Department. It runs, my Lord, as follows:—"That this Council recommends to the Governor General in Council, that he should recommend to His Majesty's Secretary of State . . . . ."

12.54 P.M.

**The Hon'ble Sir William Vincent:**—"My Lord, may I rise to a point of order. The Hon'ble Member is now proposing an amendment to a Resolution which he has never moved, at least sometimes he says he has moved it, at other times he says he has not. I am entitled to three days' notice of any amendment proposed and I take objection to the amendment."

12.55 P.M.

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Under the rules of this Council as I understand them, when the President of the Council expresses an opinion about a matter of fact, that is loyally accepted by every Member of this Council. Your Excellency having said that I had moved the Resolution, which I quite readily accepted, I submit the Hon'ble Member is out of order in saying I had not moved the Resolution. . . . ."

**The President:**—"The point of substance which the Hon'ble Member must take and which the Hon'ble the Home Member has pointed out is that if a copy of an amendment has not been sent to the Secretary at least three clear days before the date fixed for the discussion of the Resolution, any member may object to the moving of the amendment. That is the point he has taken; the other was, I think, a slap at the Hon'ble Member which perhaps the Hon'ble Member had deserved, perhaps he had not. That is the point which the Hon'ble the Home Member has put before me, and on that point I must rule that the Hon'ble the Home Member has a perfect right to object to the moving of such an amendment. As the Hon'ble Member is aware, this Resolution of his has been before the Council for a large number of days. My speech was made on September the 3rd, just a week ago. If the Hon'ble Member had given notice the day following that he regarded his Resolution as dead, dead as Queen Anne, and that he wished to put in an amended Resolution, then it would have been open to me—and I should have looked upon it favourably—it would have been open to me to allow him to amend or substitute another Resolution. But what did the Hon'ble Member do? At 7-30 last night I received a letter which had been written by him requesting to be allowed to substitute one Resolution for another. I do not think that this is a reasonable notice to give to Hon'ble Members here who have prepared themselves to meet the Resolution of the Hon'ble Member, and therefore I have no choice, as far as I can see, but to say that the Hon'ble Member must comply in this case with the rule, especially in a matter of such paramount importance."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"My Lord, I bow to your Excellency's ruling. In so far as the question of notice is concerned, I quite see that the Hon'ble Member can insist on his three days' notice. But, my Lord, if that is the only difficulty, as my object is to get this matter considered by this Council properly, I should request your Excellency to allow me to keep back this matter and allow the Hon'ble Member to have ample . . . . ."

RESOLUTION *re* APPOINTMENT OF COMMISSION TO INQUIRE 73  
INTO RECENT DISTURBANCES IN THE PUNJAB.

[10TH SEPTEMBER, 1919.]

[*Pandit Madan Mohan Malaviya ; Sir  
William Vincent ; The President.*]

notice of this Resolution. I am sorry I could not send notice of this earlier because the matter, as your Excellency has recognised, is of great importance, and I had to consult friends as to what course I should adopt. I came to the conclusion to which I did in consultation with several friends only last evening and took the earliest opportunity to intimate the fact to the Secretary of the Legislative Department. I am not entitled to go on with this matter unless your Excellency should permit me to do so. I therefore put two propositions for your Excellency's consideration. One is, your Excellency may allow me, if the Hon'ble Member waives his objection, to proceed with the matter and dispose of it. The second is, that if that is not to be, then as only one part of my Resolution is dead as Queen Anne, and the other parts are not, it will be my duty to proceed to discuss the Resolution. I will take either course. I have no wish to spend one minute more of this Council's time or my time than is necessary. If my Hon'ble friend wants notice, I am willing that this matter should come up after the three days' notice . . . . .

**The Hon'ble Sir William Vincent** :—" May I speak on a point of order?"

**The President** :—" Yes, on a point of order."

**The Hon'ble Sir William Vincent** :—" I put it to your Lordship that a Member is not entitled to amend his own Resolution. An amendment must come from somebody else. If the Hon'ble Member seeks to substitute a new Resolution of his own, I am entitled to the full fifteen days' notice."

12-57 P.M.

**The President** :—" I think that is quite clear that if he substitutes one Resolution for another, he must give the usual time, which is fifteen days' notice."

**The Hon'ble Pandit Madan Mohan Malaviya** :—" My Lord, I exactly used the word 'substitute' in the letter which I sent to the Secretary in which I requested that in view of the fact that a Committee had already been appointed to inquire into the measures taken, His Excellency the President might allow me to substitute the amended Resolution in place of the one of which I had given notice. I have complied with that requirement, but of course if your Excellency rules that I should give fifteen days' notice of it, I will, with your Excellency's permission, now give notice of it. I shall wait until fifteen days are over, in which case I understand that your Excellency will be pleased to allow me to discuss this substituted Resolution . . . . .

12-59 P.M.

**The President** :—" I cannot give the Hon'ble Member any such promise. The Hon'ble Member's Resolution will then have to take its place in the list of Resolutions suggested to this Council. The Hon'ble Member's resolution has been given special priority in this case and put on the first day devoted to Resolutions, but the Hon'ble Member now wishes not to move that particular Resolution, and his Resolution, if he wishes to substitute another one, must take its chance with the other Resolutions."

**The Hon'ble Pandit Madan Mohan Malaviya** :—" In that case I beg leave to proceed with the Resolution of which I have given notice. My Lord, the reasons which led me to give notice of the Resolution which stands upon the paper, it is hardly necessary for me to repeat. The Government, His Majesty's Government and the Government of India, acting together have recognised that the events which have recently taken place in the Punjab have been of so unfortunate and so grave a character that a Committee of Inquiry should be instituted in order to inquire into them. That having been done, my Lord, it becomes unnecessary for me to either go into those unfortunate events or to draw any inferences which would support such a request as is contained in the Resolution. But before proceeding further, as it is the first opportunity when this melancholy affair comes up before the Council, I

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wish to say with regard to the occurrences in the Punjab that every one of us, Indians in this Council, and indeed I may say I speak in this matter on behalf of all Indians whether in this Council or outside, deplores the distressing events that took place in the Punjab. My Lord, I do not agree with those who think that the Rowlatt Act agitation was responsible for those events. Nor do I agree with those who think that the Satyagraha movement was responsible for any evil results. The fact remains undisputed and undisputable that the great Satyagraha day—the 6th of April 1919—passed off throughout the country without a single untoward incident. I believe that if some of those who were in power and whose duty it was to keep law and order, had not mismanaged the situation none of the distressing events which we deplore would have occurred. In referring to those events, my object is not to raise a controversy on them, but to express my deep sorrow that they should have happened. I deplore the desecration that was committed on places of worship and the destruction of public buildings. I deplore more deeply the greater desecration which was committed on the living temples of God, on human beings, whether British or Indian, who were destroyed in a fit of fury or without any justification. My Lord, I mourn the death of the seven Europeans who were killed in these disturbances. I grieve for them as I would grieve for the death of my dearest and nearest. I mourn also the death of those several hundreds of persons—their number has been stated by the Government to-day to be more than 800, and it is believed by the public to be more than a thousand,—I grieve for the deaths of those who fell victims to the fury or the indiscretion of those who were charged with suppressing disorder. My Lord, as I have said, it is a sad thing to reflect that any places of worship were desecrated. I am a Hindu, but I never pass by a mosque or a church without paying it that silent reverence which is due to every place of worship. But, my Lord, places of worship are after all made by men; if they are destroyed, man can remake them. But a man is a temple created by God, and all of us, men, Governors, Kings and administrators, cannot even if we combined, re-build one single human temple if it has been destroyed by the hands of man or beast. I am therefore grieved beyond expression to think of the appalling number of deaths which have been caused, but I will say no more about it at present. My object to-day is merely to express my sorrow for what has happened. It is not my object to apportion blame, whether one brother was to blame for it or another, it is equally a matter of pain to me. I have not any idea here of apportioning blame or desiring that blame should be fixed upon one rather than upon another. I only refer to these unfortunate events to remind you that very distressing things have happened, and it is right, and the Government have held that it is right, that they should be inquired into and their repetition made impossible.

“ My Lord, while referring to these events in the Punjab, I wish also to say that it is a matter of real regret to me that I should have to raise questions relating to them at a time when Sir Edward Maclagan has assumed charge of the Government of the Punjab. His kindly and generous nature has inspired respect for him throughout the province and throughout the country, and the Punjab in its hour of distress honoured him by calling for him as a saviour. It was a cruel fate which kept him from the people of the Punjab and the people of the Punjab from him. It is a real regret to me, entertaining the respect which I do for him, that I should have to raise these questions at a time when he is the responsible head of the Punjab administration, and my regret is not quite shaken off by the thought that he was not responsible for the events to which attention is to be drawn and which happened at a time when he was not in charge. My Lord, I also want to say that it is far from my object to impute blame wholesale to the members of the Punjab service. On the contrary, it gives me pleasure to acknowledge that at a time when some members of that service did commit what the people consider to be great wrongs, there were several members of the same service whom the people esteemed

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and respected and were grateful to for having kept their heads cool and their districts calm. It is not my object to attack either the Punjab administration or the services as a whole. It is my object as a humble subject of the King and as a humble servant of the people to draw attention to events which require looking into. It is for this reason that, distressed by the delay which was caused in the announcement regarding the appointment of a Committee of Inquiry, I gave notice of the Resolution which stands on the paper.

“ My Lord, as I have said before, it is not necessary for me now to justify the Resolution. The Government have thought it necessary to appoint a Committee of Inquiry. They have considered the situation to be so grave as to call for the appointment of a Committee of a very important character. Lord Hunter is to preside over it; several important gentlemen are to be members of it. Why then, it may be asked, is it necessary for me to take up the time of this Council by pressing this Resolution? The reason, my Lord, is this: As the expression of opinions through the press and associations has made it clear, the public are disappointed with the constitution of the Committee. Your Excellency must have noted, and other members of the Government must have noted, the chorus of dissatisfaction and disappointment with which the announcement has been received by the Indian papers. The ‘Leader,’ a leading organ of sound moderate opinion, has expressed itself in unequivocal terms. It has said that the Committee will not command confidence. The reasons it has urged are, first of all, that the Indian element on it is very weak. Secondly, that the Committee is to report to the Viceroy who has been so much identified with the Punjab policy. And, thirdly, that the terms of reference do not empower the Committee to go into individual cases. It has concluded by saying: ‘To say that the people will be keenly disappointed with the constitution and terms of reference of the Committee is only to express very mildly the effect they will produce.’ Similarly, the ‘Bengalee’ and other leading organs of public opinion have expressed themselves dissatisfied with the constitution of the Committee and its terms of reference. My object here is not to attack anybody, not to impute any motives to any one, not to cast any reflections upon any officer of Government, but humbly to draw attention to the reasons which justify this dissatisfaction and disappointment and which should lead the Government to reconsider the matter.

“ I will take up the first point with regard to the report being made to the Viceroy. My Lord, I speak with the utmost respect without any desire to say anything personal, and I shall be sorry if any remarks of mine in any way, either directly or indirectly, indicate any want of respect for the head of the Government or for the Government of India. My Lord, the Committee is to inquire into events which have happened in the Punjab with which the Government of India are closely identified. My Lord, it was the Government of India, or, if you please, the Governor General in Council, who declared that there was a state of open rebellion in Lahore and Amritsar. That was the starting point of the chapter of troubles. It was the Governor General who promulgated martial law Ordinances. It was the Governor General in Council who supported and sustained the late Lieutenant-Governor of the Punjab, Sir Michael O’Dwyer, in carrying on the martial law administration there. It was the Governor General in Council who accepted the resignation of Sir Sankaran Nair, which as a protest, a most emphatic protest, against martial law

**The President** :—“ Order, order. What authority has the Hon’ble Member for making that statement. I told the Council in my speech the other day that Sir Sankaran Nair had not given out publicly his reasons for resigning, and that any communications he had made were entirely private as between colleagues.”

[*Pandit Madan Mohan Malaviya.*]

[10TH SEPTEMBER, 1919.]

**The Hon'ble Pandit Madan Mohan Malaviya:**—"I beg your Lordship's pardon, my Lord. It has been said in the papers that Sir Sankaran Nair resigned on account of the administration of martial law in the Punjab. If I have erred in saying this, I beg your Excellency to pardon me.

"Now, my Lord, these are facts of such an important character that there is a feeling in the public mind that the Committee of Inquiry ought to report not to the Governor General in Council, but to His Majesty's Secretary of State for India. I disclaim, my Lord, any idea of suggesting that the Governor General in Council will not deal fairly and squarely with the Report of the Committee. Personally, I have not the least doubt that every member of the Government will give it his best and most impartial consideration and arrive at conclusions which justice and honour should dictate. But, my Lord, in this matter the Government has to pay heed to the public opinion of the country, and, in view of the events which have happened, the public clearly feel that it would be right, it would be more satisfactory, if the Report went to the Secretary of State for India. This is a view which I consider it my duty to commend to the consideration both of your Excellency's Government and of the Secretary of State. It is not, I repeat, that I make any insinuation or any suggestion, or that I personally have any doubt about how the matter will be dealt with by the Governor General in Council. But it is my duty to draw attention to the public opinion of the country which is voiced by papers of the standing of the 'Leader' and the 'Bengalee,' as well as other organs of Indian public opinion, all of which want this matter to be re-considered.

"I will now come to the next point by reason of which I consider that this Committee is defective and unsatisfactory, and that is the personnel of the Committee. The Committee consists of six members including the President. Four of these are Europeans and only two are Indians. Now, my Lord, I would not have raised the question of Indians and Europeans, were it not that the Government have themselves raised it by proposing such a Committee as they have done.

"My Lord, it is deplorable that seven European lives were lost, but your Lordship is also aware from the answers given to-day by the Hon'ble the Home Member that several hundreds of Indian lives have been lost; and several hundreds of barristers and vakils, merchants and bankers, and other respectable Indians are rotting in the jails of the Punjab as the list laid before the Council by the Home Member discloses. Several hundreds of Indians have been subjected to indignities which should have been inconceivable. When the Indian members and the Indian public cry for an inquiry into such a state of affairs, one should expect that the Government would appoint a larger number of Indians on the Committee of Inquiry than of non-Indians. Instead of doing that if the Government had put the number even as equal, it would have given more satisfaction. But they have not done this either.

"My Lord, here again I do not mean for a moment to insinuate that any member of the Committee will look at these questions from a racial point of view. I personally believe that every one of the members will act honestly and impartially as a gentleman, and I have no fear, not the remotest fear, in my mind that these gentlemen will not act impartially and justly; but how does the constitution of the Committee appear to the general public? Four of its members are Europeans. They ask why should there be four Europeans as members and why only two Indians? Are not Indians more concerned in this matter than Europeans? The matter ought not to be regarded in any racial light, but it ought to be looked at from the point of view of the persons, whose fates are to be tried or whose interests are at stake, who would naturally desire in a matter like this to see that the jury consists of persons in whom they have confidence. The Indian public do not know sufficiently about some of the members who have been appointed on the Committee. They know only of some;

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and by reason of want of knowledge of the qualifications and character of some of the members, they do not feel the same confidence that they would if they had found in the Committee the names of some of those with whom they are acquainted, whom they respect and honour, and in whom they have confidence. For this reason, my Lord, the constitution of the Committee is defective, and I certainly say that it would have been wiser on the part of the Government if they had at least made the number of Indian and European members equal. It is even now possible for the Government to equalise the number by appointing a third Indian member. There are a number of gentlemen available in the country, both among Indian Judges and Indian public men, any one of whom, who enjoys the confidence of the public, might be appointed without any disadvantage to any interest. My Lord, it is in this respect that the constitution of the Committee is considered to be defective. I will not dwell upon the personal merits of any individual; as I have said I have absolute confidence that every member of the Committee will look at the questions in a straight way like a gentleman and come to conclusions which truth and justice and honour dictate.

“ My Lord, why has the Government appointed this Committee? It has appointed it, in the first place, to redress wrongs which, it must be satisfied, have been inflicted; and, in the second place, to satisfy public opinion which has been outraged by the events which have taken place. Now, if the public is to be satisfied, if that is the object of appointing this Committee of Inquiry, I submit with great respect that the Government would be wise in appointing a third Indian as member of this Committee, and I hope it will.

“ My Lord, the third respect in which the Committee is unsatisfactory is that the terms of reference are not sufficient. Your Excellency has seen from the answers given by the Home Member what sad havoc has been played with the liberty and honour of a number of His Majesty's subjects. Now, my Lord, even if their Lordships of the Privy Council hold that there was no justification for introducing martial law in the Punjab, even if they sweep aside all the proceedings of the martial law commissions and martial law officers, what would be the position? They will only deal with the appeals of those individuals who have gone up to the Privy Council; they will not be able to touch the cases of the vast number of men who have not appealed and who probably will not be able to appeal to the Privy Council. My Lord, the Committee of Inquiry will be an executive body; it can only make recommendations. In the Resolution I have suggested the Commission will be vested with legal authority to deal with, to annul or modify sentences. But it is the convictions which have to be set aside. My Lord, I have reflected that this cannot be done by a Commission or Committee unless it is constituted into a Court, for which either this Council should pass an Act constituting it as a judicial tribunal, or Parliament should do so. In the absence of such a constitution of a judicial tribunal, the Commission or Committee can only make recommendations which may be dealt with by the executive Government. Now, the Governor General in Council or the Secretary of State can, as executive officers, wipe out the sentences of any individual; but, my Lord, neither the Secretary of State nor the Governor General in Council has any authority to set aside any of the convictions; and, my Lord, if the convictions remain, can any of these men be happy to think that the stain of having waged war against the King will remain on their forehead for ever? My Lord, comparatively the sentences do not mean so much. What matters most to every decent citizen, to every loyal subject, to every gentleman, is that his honour should remain stainless, that the stain which has been cast upon his honour shall be completely wiped off. Now, my Lord, as matters stand in the British Empire at present, that can only be done by His Majesty's Privy Council. I submit, therefore, that the reference to the Committee of Inquiry is insufficient and incomplete,

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and that they should be asked to recommend; if they should think it fit, to His Majesty in Council that the convictions by the martial law commissions and martial law officers and tribunals specially empowered to deal summarily with cases of persons alleged to have been connected with the said disturbances should be annulled. . . . .

**The Hon'ble Sir William Vincent** :—" May I rise to a point of order? The Hon'ble Member is doing exactly what he said he would not do, that is, moving an amended Resolution."

**The President** :—" I should like the Hon'ble Member to show how what he is saying now in the course of his arguments comes within the Resolution which stands on the paper."

**The Hon'ble Pandit Madan Mohan Malaviya** :—" My Lord, it will be quite clear in a minute. If the Hon'ble the Home Member had not interrupted me, he would have heard it by this time. My Lord, my Resolution says that :—

'This Council recommends to the Governor General in Council that he should request His Majesty's Government to appoint without further delay a Commission consisting of gentlemen unconnected with the Indian administration.'

To support it I have to show that the Committee of Inquiry which has been announced is defective, and that the terms of reference are insufficient, and I have been endeavouring in my humble way to show it. I am surprised that this should not have been clear to the Hon'ble the Home Member. I will proceed more rapidly because I fear my end is approaching. My Lord, I have drawn attention to three circumstances by reason of which I am not satisfied with the proposed Committee of Inquiry; and by reason of which I humbly urge that this Council should recommend to the Governor General in Council that he should request His Majesty's Government that a Commission should be appointed by them to investigate the Punjab occurrences, and that the terms of reference should be laid down as I have suggested.

" Now, my Lord, if this is done, what will be the result? The result will be that your Excellency's Government will satisfy Indian public opinion. I assure your Excellency that my countrymen are not unreasonable; my experience, extending over forty years, of public life in this country, has convinced me that there has not been one single occasion, when if the Government has been in the right the people have not recognised that they were right; and I believe that in the interests of the good name of the Government, in the interests of justice, in the interests of truth, nothing is more desirable than that the inquiry which the Government have recognised as necessary should be conducted by men who satisfy public opinion, by men who would inspire confidence in the public mind, and that the terms of reference should be such as would enable the Commission to wipe off any stain which has been cast on those concerned, if they should, after investigating the matter, come to the conclusion that it is right that it should be done and in order that the public feeling should be allayed.

" My Lord, it has distressed the people of the Punjab and of India that after the great war, after the loyal services rendered by the people of the Punjab, after the loyal services rendered by India—and we have been repeatedly told that the Punjab has borne the foremost share in the sacrifices made, and that her sacrifices have been appreciated by everybody who knows the fact—it has distressed us all to think that this province should be visited by such a terrible calamity, almost before the war has come to an end. The total number of persons who have been arrested has not been found out by the Government,

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though several months have passed; yet the number that has been announced by the Hon'ble the Home Member is distressing to think of. I have visited the Lahore Central jail and the Borstal jail on three occasions, and I was grieved to find that men, good men, any of whom might get a seat in this Council, men as honourable as any member of this Council, were rotting in those jails for no fault of their own, for no guilt of their own. I feel that this is a situation that calls for the most searching and impartial inquiry—an inquiry that should command complete public confidence, that would silence the tongue of calumny, silence false rumours and establish that Government does not favour anything except truth and justice; establish that the Government are as solicitous for the life and the honour of every single Indian subject of His Majesty as they are of the life and honour of every European subject of His Majesty. This demands, my Lord, a commission of the character which I have indicated. It is for these reasons that I move this Resolution, being thoroughly dissatisfied with the constitution of the Committee as announced and with its terms of reference. I hope the Government will consider the matter in the light in which I have presented it. I have no wish to embarrass the Government. I tried to modify my Resolution, but I will not speak about it now. I have indicated in my speech measures which might make the Committee satisfactory. I have suggested a modification which will make it unnecessary for the Government entirely to remodel the Committee, by means of a reasonable addition in one respect, and a reasonable extension in another. As this does not evidently commend itself to your Excellency's Government, I must press for the acceptance of my Resolution that a Commission, not a Committee, should be constituted on the lines I have indicated, with the instructions which I have indicated, including the power to recommend that any conviction might be annulled."

**His Honour the Lieutenant-Governor:**—"My Lord, I should like with your permission, to make a few remarks before this debate comes to an end. 1.25 P.M.

"In considering the steps which have been taken to deal with the recent disturbances, we must, I think, bear in mind the warning which your Excellency gave us at the first meeting of this Session against the tendency, now that the disturbances have been quelled, to minimise their gravity. I do not think that even while the disturbances were in progress people in other parts of India fully realised how extremely serious they were, and now that peace has been restored, there are a good many people inside the Province and outside it who have persuaded themselves that nothing very serious occurred. I have had an opportunity of meeting the chief citizens of two of the towns in which the more serious disturbances occurred. On both occasions I have had to bring to their memory the gravity of the danger through which they passed. If the disturbances had not been met with the utmost rapidity, had they been allowed to proceed a little further than they did, the lives and property of all classes, more especially of the trading classes in the central Punjab, and possibly in other areas extending even beyond the Province, would have been in the most imminent danger. The Province has escaped, and very narrowly escaped, a most serious catastrophe.

"The Hon'ble Member has spoken a good deal about the sentences passed by martial law commissions. A good deal can be said about them, but I shall at present only say a few words in order to dispel any misapprehension there may be about the attitude which the Government has hitherto adopted in the matter. As regards the findings of these commissions, it must be remembered that they represent the opinion, the unanimous opinion, of three experienced officers, who had the accused and the witnesses before them and heard what had to be said on either side. It is only in cases where there is patent and incontestable evidence of error that findings of this kind can be upset by an

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executive authority, and although I have examined many cases, I have not found one in which I felt justified in impugning the substantial accuracy of the findings of the Court.

“As regards the sentences I think things are different. The Courts were in a great many cases bound by the law to pass the severest form of sentences. They were influenced in a large number of cases, and I think justifiably influenced, by a sense of the great danger to which the persons before them had so recently exposed the country. It is always open to the Government in such cases to adopt a more extended view and to look upon punishments with regard to their aggregate effect. Where it feels it can reduce the sentences without unduly weakening their deterrent influence, it is justified—and where the numbers concerned are considerable, it is more than justified—in ordering a reduction. The sentences passed on the *Ghadr* revolutionaries in 1916 were in this way reduced by my distinguished predecessor and in the case of such recent sentences as came before him before he left the country, he had himself ordered a considerable number of reductions. To what extent and at what time he would have conducted a general review of these sentences, if he had stayed in the country, I cannot say, but I have reason to believe that after a suitable interval had elapsed, a review would have been undertaken by him. I have myself found that it was possible to effect reductions very shortly after quiet was restored, and I recognise that in doing so I have undertaken a considerable risk. The reductions have, however, served to show that the Government in punishing disturbers of order has no desire to be oppressive or vindictive, and they have helped to ease the tension which has inevitably sprung from the events of April last. They have been made in the hope that the old feelings of confidence between the Government and the people which the sudden upheaval of last April had so violently interrupted might be restored, and if in this hope we are, as I trust we shall not be, disappointed, it will not be for want of anxious effort on the part of the Government.

“I would in all earnestness ask the Council to appreciate the attitude which the Government has adopted. We cannot let past outrages go unpunished, but we are doing what we can to restore good feeling, and to bring things back to normal and peaceful conditions, and the least we can ask from those who have the interests of the country at heart is that they should aid and not impede us in our task.”

1-31 P.M.

**The Hon'ble Mr. W. E. Crum:**—“My Lord, I stand here to-day as a representative elected by the Bengal Chamber of Commerce, but in speaking I speak not only for the Chamber but also for the great European community scattered throughout the provinces of India. And what is that community? It is a community as truly of the citizenship of India as any community in India. It has been said that we are simply foreigners who come to India to make what money we can in a few years out of the Indians and then go and spend it in England. My own position, my Lord, I will explain to the Council and ask them to judge. My father lived, worked and died in India. For twenty years I have worked in India. My children have been born in India, and I hope that my sons will come back and work in India. The money that I have inherited and the money which I have earned is all invested in India's trade and commerce, and as long as I live it will be so invested. And my position is simply that of many of the thousands of the European community who are scattered throughout India, and as such we claim citizenship of India and the right of protection. We are as solicitous for the future of India, for her material welfare and prosperity, as any other member of your Excellency's Council. But, my Lord, with regard to what has happened in the Punjab, it is we who are the aggrieved parties. The Hon'ble Pandit has told us, and I believe with all sincerity, how much he regrets the murders, the sacrilege of churches and the destruction of property which have taken place. But that does not

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alter the fact that these murders did take place, that churches were burnt, and that property belonging to Europeans was destroyed because it belonged to Europeans. And so, my Lord, we have the right not only to claim the protection of Government for those Europeans scattered all over India, but also must we be given some assurance that occurrences such as have happened in the Punjab will not happen again.

"My Lord, the Hon'ble Pandit paid a very just tribute to the good work which Sir Edward Maclagan is now doing in the Punjab. But I consider that India also should be thankful and should pay a tribute to his predecessor, Sir Michael O'Dwyer because it was all important for India that at that very serious time she had in the Punjab a man of the courageous fearlessness, of the justice and of the determination of Sir Michael O'Dwyer, and on behalf of the European community, I wish to thank him for the prompt measures which he took in quelling the disturbances. And, further, I wish to thank those officials of the Punjab, both European and Indian, who did their duty and stuck to their posts when circumstances were so much against many of them.

"I should like to allude, my Lord, to the behaviour of His Majesty's Army in the Punjab . . . . .

**The Hon'ble Pandit Madan Mohan Malaviya :—**" May I <sup>1-36 P.M.</sup> rise to a point of order, my Lord? I did not want to go into details regarding the work of His Majesty's forces in the Punjab, and I doubt whether any of the Hon'ble Member's remarks are pertinent here. I have avoided, so far as I could all reference to facts which are to be inquired into by the Committee of Inquiry (Laughter) . . . . .

**The President :—**" It is impossible for me to hear what the Hon'ble Member is saying if his voice is drowned by laughter."

**The Hon'ble Pandit Madan Mohan Malaviya :—**" A little levity is sometimes unfortunately imported even into the most solemn discussions. I have avoided going into those facts of a cardinal character which would establish whether Sir Michael O'Dwyer was responsible for creating the serious time referred to by the Hon'ble Member or not, and whether His Majesty's forces had done well or not. I have avoided all reference to these details, and I would suggest that Hon'ble Members may discuss the Resolution on the grounds I have put forward. I think it would be unfair to the Committee of Inquiry to prejudge matters which have been referred to them, but I put this before your Excellency so that the blame for importing these matters into the discussion may not rest upon me."

**The Hon'ble Mr. W. E. Crum :—**" My Lord, I think also that the <sup>1-37 P.M.</sup> thanks of my community are due to His Majesty's Army in India, both European, Sikh, Muhammadan and Gurkha, who in spite of the greatest provocation behaved with a restraint and discipline which will be a model to the Army in India for ever afterwards.

"Now, my Lord, I cannot help thinking that instead of the Hon'ble Pandit having moved this Resolution that I should have moved it as a member of the European community, and it seems to me that the wording of the Resolution is wrong. The Resolution asks for the annulment and modification of sentences on those who have already been convicted of murder, arson and sacrilege. My Lord, rather surely should the Resolution have asked that reparation should be made for the lives that have been lost and the properties that have been destroyed, and I would ask that in the terms of reference to the Committee of Inquiry which your Lordship has appointed, there should be included the question of reparation for those who have suffered, the question of who is to pay

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for this reparation, and the question as to how the scattered European community is to be safeguarded in the future. My Lord, I would go further, and ask that as this is a matter which concerns my community so deeply, your Excellency may be pleased to add to this Committee a member of the non-official European community. My Lord, the Committee consists of two eminent Judges, a member of your Excellency's Government, a distinguished soldier and two members of the Indian community. All that I ask is, that we non-official Europeans should also be represented, and since the Hon'ble Mover of the Resolution has asked that the Commission should consist of gentlemen unconnected with the Indian administration, I think that he at least can take no objection to my request."

1-40 P.M.

**The Hon'ble Maharaja Sir Manindra Chandra Nandi :—**

"My Lord, I think I would be failing in my duty if I were not to speak a few words in connection with the present Resolution. It is the barest truth to say that the recent happenings in the Punjab have grieved people all over India. The loyal and law-abiding section of the Indian community very much deplores the excesses committed by the mob in this province. But there is also a strong feeling, even among the most considerate and sober-minded, that the retribution visited on the people of the Punjab has been unduly severe and indiscriminating. A policy of conciliation and clemency has no doubt been adopted lately, but it has not succeeded in appeasing the public mind altogether. It is a matter of satisfaction that, in response to the public demand for an inquiry, Government have thought fit to appoint a Committee, as was announced by your Excellency the other day. The personnel of the Committee seems, however, to admit of improvement, and I would implore your Excellency's Government to strengthen it by the addition of a few more non-official Indian Members possessing public confidence. There is also a general desire that the terms of reference should be more comprehensive, so as to include individual cases. I venture to suggest that the disturbances in Calcutta should be included within the scope of this inquiry."

1-42 P.M.

**The Hon'ble Major Malik Sir Umar Hayat Khan :—**" My

Lord, the request for the Commission of Inquiry ought to have come from a Punjabi who knew all that happened in the Province and not from an outsider. We have sufficiently suffered from the help extended to us from other Provinces. Most of the well-wishers and inhabitants of our Province are against the holding of any inquiry whatsoever, as they feel it may pour oil on the fast dwindling fire, and even the private inquiry of some gentlemen was resented by the people when some of the newspapers voiced their feelings.

"I also hope that the element of the public men from outside would not be further added to the Commission of these inquiries to enhance our troubles. If any other Indian is to be added to meet the wishes of some of the Members, I suggest that he may be a Sikh from Punjab, as most of the disturbances took place in the area mostly inhabited by the Sikhs, and as there was a Hindoo and a Muhammadan Member already on the Commission, the appointment will be welcomed by that community. The appointment of a Punjabi with the knowledge of the language of the Province, as well as with the first-hand knowledge of affairs not dependent on the misleading reports and extremist papers, will be of much value to the Commission. As I had worked throughout the disturbances as well as at the Frontier troubles, I wanted to deal at length about the close connection of the two and the origin and gravity of the situation as well as the minute plans, of those who wanted to prove their threats as genuine. I refrain from bringing forward any facts and reserve them for a future date when I hope to review the situation and try to prove what would have been the inevitable result if prompt measures had not immediately been taken."

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**The Hon'ble Rai Sahib Seth Nathmal:**—“ My Lord, I <sup>am</sup> quite new to this Council and equally new to what happened in the Punjab. The affairs in the Punjab of course concern, as my friend just said, those people who can very well deal with them with some experience and not myself. Ever since I became a member of this Legislative Council, I have had a chance of visiting several provinces. To begin with I had to go to Calcutta, where I met certain gentlemen of importance who laid great emphasis on the serious nature of the sentences that were passed against certain people in the Punjab, but when I visited the Punjab, I met certain gentlemen who were on the spot and they told me a different story altogether. There are different views and different opinions, and as I have already said, I am quite new to this and may only refer to a report of the Marwari Association which was published last year, in which they have dealt with similar riots which took place in Calcutta. They say in connection with the riots which occurred last year:—‘ Armed military and police forces were present from the beginning, but they were powerless to control the rioters, knowing that neither the military nor the police could or would fire upon them at once, they openly snapped their fingers at them, pelted stones at them, wounded some of the high officers of the police, besides a number of constables, and went on committing dastardly crimes under the very eyes of the police and the military.’

“ They further say : ‘ Both the military and the police tried to control the situation, but a little exercise of power in time could have nipped the disturbance in the bud, or at least would have had a wholesome effect on the rioters, for ultimately exercise of power and force became unavoidably necessary to bring the rioters to their senses.’ My Lord, I imagine that certain disturbances have also taken place in the Punjab, and probably the action which was taken by the Government was thought quite desirable then, and had the necessary wholesome effect. I have heard a lot also about the seriousness of the situation which then arose though most of the papers ignore this, and I hear nothing from them about it. It is possible that certain actions of the Government might have been a little bit serious, as also the action of the mob which was in great fury then. I suppose, however, everybody has got confidence, just as the Hon'ble Mover of the Resolution said, in the goodness and the policy of clemency exercised by the present Lieutenant-Governor of the Punjab, and therefore in view of the Commission that is coming, as already pointed out by your Excellency, to report on the causes of, and the measures taken to cope with, the recent disturbances in the Punjab and the Bombay Presidency, I am not prepared to support the Resolution as it stands.”

**The Hon'ble Rao Bahadur B. N. Sarma:**—“ My Lord, your <sup>1-45 P.M.</sup> Excellency in your opening speech on the 3rd has rightly given us a warning that nothing that we may do either here or outside should create or embitter the feeling of the various communities in India, and in view of the appointment of the Commission which has been announced by your Excellency, I think it would not be pertinent to make any remarks in detail with regard to our views of the occurrences in the Punjab. But I should be failing in my duty if I did not express in the Council the views of a vast majority of my countrymen, educated as well as uneducated, with regard to the happenings in the Punjab in so far as they have a bearing upon the Resolution in question. Every one whom I have heard deploras greatly the excesses of the mob in the Punjab, the violence and distemper exhibited and the disastrous consequences to European life and property, and I associate myself with what has been said by the Hon'ble Pandit Malaviya with regard to the keen regret of the country as regards those occurrences. Whether some of the later occurrences, or even all those occurrences were not the result of some of the measures taken either then or a little while previously are questions which will come up before the Committee, and I therefore think it would not be right to express an opinion on that question.

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“ But with regard to the first part of the Resolution raised by my friend, there is something to be said and I hope your Excellency will not take us amiss when we express our view that it might have been desirable and even now would be desirable if a Commission from England, consisting it may be exclusively of Englishmen from there, were to inquire into these Punjab occurrences. Your Excellency will remember that a large part of the Indian public, while deploring the excesses, doubted and doubts whether the circumstances warranted the declaration of a state of war or open rebellion.

“ The question is one which, I think, would have to be inquired into by the Committee, and the views of the Government of India and the Resolution of the Government of India may have to be canvassed. We are thankful to your Excellency for taking the initiative and appointing this Committee showing thereby complete confidence in your own honesty and integrity which nobody has ever doubted. But there are many who have doubted and still doubt on reasonable grounds as to whether the Government has not on one-sided reports been thrown into a state of panic and cast an unmerited slur upon the loyalty of vast sections of people in the Punjab and possibly elsewhere. Therefore, it would have been desirable if a Commission entirely unconnected with India, with fresh minds, had been appointed by His Majesty's Government at home to inquire into these questions, because the questions relating to the Punjab are not, as my friend the Hon'ble Sir Umar Hayat Khan thought, connected only with the Punjab, but are of an all-India or imperial character. It is with great distress of mind and regret that I have to state that, rightly or wrongly—and I hope sincerely, that the Committee will find that the opinion is wrong—rightly or wrongly, there is an impression abroad that British justice has never sunk so low as during the past few months, and nothing has distressed us so much, because we, who believe in the continuance of the British connection with India, have set great store upon the prestige of the British race, upon their reputation for integrity and for justice; and it has saddened us that that tie was being weakened by the events which took place in the Punjab. It would have been well, therefore, if the Committee had consisted exclusively of Britishers fresh from England, and if the Commission had been appointed by the Government at home to inquire into these questions and the Report had been made to His Majesty's Secretary of State. However, it may not be too late even now. The Government of India has shown its good faith in starting the inquiry itself, and there would be nothing to prevent them from asking His Majesty's Government to clear the doubts and fears of the Indian people. I was very glad to hear that my friend from Bengal owns his Indian citizenship. Nobody has ever doubted it. Nobody has ever doubted that there are large numbers of Britishers in India who are as proud of being Indian citizens as we are ourselves, and I agree with him that everything that is possible should be done to safeguard their lives and properties, especially as they are scattered all over India. But, my Lord, may I point out to the Council that what the people of India object to is not the swift, speedy, stern punishment of the offenders who are responsible for crimes, but to what they believe to be the use of Prussian methods of terrorism in order to inspire fear in the Indian mind when the European is approached. It is a continuance of that old spirit which we thought had ended and would end with the war that the Indian people fear so much; and if the European community does not back up the theories and doctrines supported by some of the Anglo-Indian papers and does not believe in methods of stern vengeance, I am sure everyone will cordially echo what was expressed by my friend the Hon'ble Mr. Crum. It is that question again which is one of the crucial questions which will have to be investigated by this Committee, the question, namely, not as to whether a few more than the really guilty had suffered or not—in every disturbance of this sort ideal justice cannot be dispensed and in administering speedy justice you must punish the innocent as well as the guilty—but the question is whether the

RESOLUTION *re* APPOINTMENT OF COMMISSION TO INQUIRE 85  
INTO RECENT DISTURBANCES IN THE PUNJAB.

[10TH SEPTEMBER, 1919.]

[*Bao Bahadur B. N. Sarma ; The President.*]

methods that had been adopted were adopted with a view to mete out justice or perpetuate the old pernicious methods of upholding prestige even if terrorism has to be employed. I therefore think that Indian confidence in British justice and integrity might be greatly restored—and that is the real point to be gained now—by the appointment of such a Committee as has been prayed for by my friend the Hon'ble Pandit Madan Mohan Malaviya.

“ Then, as regards the question as to whether the Committee should be invested with power to annul sentences, there are of course legal and technical difficulties no doubt, but it may be permissible to authorise the Committee to make recommendations in this respect. With due respect I venture to say that we who have been trained in the administration of justice and who have been assisting the administration of justice have looked in vain in what appear in the newspapers as judgments in these cases, for materials to judge whether these sentences were right or wrong, whether the convictions were right or wrong, and in the few cases in which lengthy judgments have been written, I may venture to say that they have left the vast majority of lawyers as well as non-lawyers unconvinced and they have been forced to the conclusion that it would have been impossible to expect a British Court of justice to convict men on such flimsy materials as apparently formed the basis of such judgments. I hope the Punjab Government and the Government of India had ampler materials than were furnished to the public on which they could come to a decision as to whether the convictions were right or wrong. I hope one day the materials will be published and the public will be shown that they were absolutely in the wrong. But, so far as the materials in the hands of the public go, I can boldly state that, on the materials furnished and on the judgments, it would be impossible to justify any confidence in the conclusions, I would say, of the Hon'ble Judges who tried these cases. I am not going to impute motives. All of us are human; when we are perturbed by our feelings we are apt to have our judgments misled, and it may be therefore that in the disturbed Punjab of 1919 the atmosphere was too vitiated to permit correct conclusions to be come to. But the Government of India have materials, I hope, and, I think, it would not be wrong for us to recommend that this Committee should go into that question and make recommendations not simply as to whether the sentences should be reduced, but as to whether the convictions should be upheld. After all the Privy Council may be technical and justice may not be administered. I repeat again that the true foundation of the British connection lies in the confidence of the people in British justice and in British methods, and I hope that in accepting a portion of the Resolution the Government would not be doing wrong in attempting to restore that confidence.”

**The President :**—“ The Council will now adjourn until to-morrow at 11 o'clock when Legislative business will be taken. The discussion of this Resolution will be continued on Friday, the 12th. If, by any chance, we finish the Legislative business down for to-morrow, of course we shall continue the discussion of this Resolution.”

The Council then adjourned to Thursday, the 11th September 1919, at 11 A.M.

H. M. SMITH,

SIMLA ;  
The 17th September, 1919.

} *Officiating Secretary to the Government of India,  
Legislative Department.*